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LEGISLATIVE HISTORY

Public Law 845--80th Congress

Chapter 758--2d Session

S. 418

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DIGEST OF PUBLIC LAW 845

WATER POLLUTION CONTROL ACT. Directs the Public Health Service to prepare or adopt comprehensive programs for eliminating or reducing the pollution of interstate waters, working in cooperation with other Federal agencies, States, municipalities, interstate agencies, and industries; grants the consent of Congress to compacts among the States for the abatement of water pollution; authorizes the Federal Works Agency to make loans to States, municipalities, and interstate agencies for the construction of necessary works to provide for pollution abatement; authorizes appropriations for loans, allotments to States for research, construction of buildings and facilities, and grants to States, etc., under certain conditions; and establishes in the Public Health Service a Water Pollution Control Advisory Board comprised of a chairman designated by the Public Health Service and representatives from the Departments of Army, Interior, and Agriculture, and the Federal Works Agency.

INDEX AND SUMMARY OF HISTORY OF S. 418

January 29, 1947	S. 418 was introduced by Senator Barkley and was referred to the Senate Committee on Public Works. Print of the bill as introduced.
April 22, 1947	Hearings: Senate, S. 418.
July 8, 1947	Senate Committee reported S. 418 with amendments. Senate Report 462. Print of the bill as reported.
July 16, 1947	S. 418 was debated and passed the Senate with amendments.
July 17, 1947	S. 418 was referred to the House Committee on Public Works. Print of the bill as referred.
April 28, 1948	House Committee reported S. 418 with amendments. House Report 1829. Print of the bill as reported.
June 4, 1948	House Rules reported H. Res. 641 for the consideration of S. 418. House Report 2226. Print of the Resolution.
June 14, 1948	House debated and passed S. 418 as reported.
June 15, 1948	Senate Conferees appointed.
June 16, 1948	House Conferees appointed.
June 17, 1948	House received the Conference Report. House Report 2399.
June 18, 1948	House agreed to the Conference Report.
June 19, 1948	Senate agreed to the Conference Report.
June 30, 1948	Approved. Public Law 845.

80TH CONGRESS
1ST SESSION

S. 418

IN THE SENATE OF THE UNITED STATES

JANUARY 29 (legislative day, JANUARY 27), 1947

Mr. BARKLEY (for himself and Mr. TAFT) introduced the following bill; which
was read twice and referred to the Committee on Public Works

A BILL

To provide for water-pollution-control activities in the United States Public Health Service, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That in connection with the exercise of jurisdiction over the
4 waterways of the Nation and in consequence of the benefits
5 resulting to the public health and welfare by the abatement
6 of stream pollution, it is hereby declared to be the policy
7 of Congress to recognize, preserve, and protect the primary
8 responsibilities and rights of the States in controlling water
9 pollution, and to provide Federal technical services and
10 financial aid to State and interstate agencies in the formula-

1 tion and execution of their stream pollution abatement pro-
2 grams. To this end, the Surgeon General of the Public
3 Health Service, under the supervision and direction of the
4 Federal Security Administrator, shall have the responsi-
5 bilities and authority relating to water-pollution control pro-
6 vided for in this Act.

7 SEC. 2. (a) The Surgeon General shall, after careful
8 investigation, and in cooperation with other Federal agencies,
9 with State health authorities and interstate agencies, and
10 with the municipalities and industries involved, prepare com-
11 prehensive programs for eliminating or reducing the pollution
12 and improving the sanitary condition of the surface and
13 underground waters in or adjacent to any State. In the
14 development of such comprehensive programs due regard
15 shall be given to the improvements which are necessary to
16 conserve such waters and promote their use for public water
17 supplies, propagation of fish and aquatic life, recreational
18 purposes, and agricultural, industrial, and other legitimate
19 uses, and for this purpose the Surgeon General is authorized
20 to make joint investigations with any such agencies of the
21 condition of any waters in any State or States, and of the
22 discharges of any sewage, industrial wastes, or substance
23 which may deleteriously affect such waters.

24 (b) The Surgeon General shall encourage cooperative
25 activities by the States for the prevention and abatement of

1 water pollution; encourage the enactment of uniform State
2 laws relating to water pollution; encourage compacts be-
3 tween States for the prevention and abatement of water
4 pollution; collect and disseminate information; make avail-
5 able to State agencies, municipalities, industries, and in-
6 dividuals the results of such surveys, studies, investigations,
7 and experiments conducted by the Surgeon General and by
8 cooperating agencies, public and private; and furnish such
9 assistance to State agencies as may be authorized by law.

10 (c) The consent of the Congress is hereby given to two
11 or more States to negotiate agreements or compacts, not in
12 conflict with any law of the United States, for (1) cooper-
13 ative effort and mutual assistance for the prevention and
14 abatement of water pollution and the enforcement of their
15 respective laws relating thereto, and (2) the establishment
16 of such agencies, joint or otherwise, as they may deem
17 desirable for making effective such agreements and compacts.

18 (d) Whenever it be found that the pollution of interstate
19 waters in or adjacent to any State or States is such that in
20 the opinion of the Surgeon General, based upon reports,
21 surveys, and studies of such waters, the health or welfare of
22 citizens of the United States is being jeopardized thereby, the
23 Surgeon General may give formal notification thereof to the
24 appropriate State health authority or interstate agency.
25 This notification may outline recommended remedial meas-

1 ures which are reasonable and equitable and shall specify
2 a time regarded by the Surgeon General as reasonable to
3 secure the abatement of the pollution. If action to abate
4 such pollution is not taken within the time specified, this
5 failure shall again be brought to the attention of the appro-
6 priate State health authority or interstate agency and may
7 be accompanied by a recommendation that suit to abate the
8 pollution be initiated forthwith by such State health authority
9 or interstate agency in a court of proper jurisdiction. If
10 such suit is not initiated within a reasonable time, not to
11 exceed two years, an action to abate such pollution shall
12 then be brought in the name of the United States by any
13 United States attorney when requested to do so by the
14 Surgeon General. Such action shall be brought as an action
15 in equity, and may be brought in any court of the United
16 States having jurisdiction to hear and determine equity
17 cases.

18 SEC. 3. The Public Health Service, upon request of any
19 State health authority or interstate agency, shall, subject to
20 the approval of the Surgeon General, conduct investigations
21 and make surveys of any specific problem of water pollution
22 confronting any State, drainage-basin authority, community,
23 municipality, or industrial plant, with a view to effecting a
24 solution of such problem.

25 SEC. 4. The Public Health Service shall prepare and

1 publish, from time to time, reports of such surveys, studies,
2 investigations, and experiments made under the authority of
3 this Act as the Surgeon General may consider desirable,
4 together with appropriate recommendations with regard to
5 the control of water pollution.

6 SEC. 5. The Federal Security Administrator is author-
7 ized to extend Federal aid in the form of grants-in-aid, loans,
8 or both, to any State, municipality, or other public body
9 for the construction of necessary treatment works to prevent
10 the discharge by such State, municipality, or other public
11 body of untreated or inadequately treated sewage or other
12 waste into the surface or underground waters in or adjacent
13 to any State, and for the preparation (either by its engineer-
14 ing staff or by practicing engineers employed for that pur-
15 pose) of engineering reports, plans, and specifications in
16 connection therewith. Such loans and grants-in-aid shall
17 be made upon such terms and conditions as the President
18 may prescribe, subject to the following limitations: (1)
19 Grants-in-aid or loans shall be made only with respect to
20 projects approved by the appropriate State health authority
21 and by the Surgeon General; (2) no grant-in-aid shall be
22 made in respect of any project of any amount in excess of
23 $33\frac{1}{3}$ per centum of the reasonable cost, as determined by
24 the Surgeon General, of such project, including prepara-

tion of plans and the carrying of same into execution; (3) all loans made under this section shall bear interest at the rate prescribed by the President. Compliance with the provisions of this Act shall not be conditioned upon the availability of Federal grants-in-aid or loans.

SEC. 6. The Federal Security Administrator is authorized to extend Federal aid in the form of loans to industrial enterprises for the construction of necessary treatment works and the preparation of engineering reports, plans, and specifications in connection therewith, to prevent the discharge by such enterprises of untreated or inadequately treated sewage or other waste into the surface or underground waters in or adjacent to any State, which in the opinion of the Surgeon General would substantially impair the quality of such waters. Such loans shall be made upon such terms and conditions as the President may prescribe, subject to the following limitations: (1) Loans shall be made only with respect to projects approved by the appropriate State health authority and by the Surgeon General; (2) all loans made under this section shall be fully and adequately secured and shall bear interest at the rate prescribed by the President; (3) each loan may be made for a period not exceeding ten years. Compliance with the provisions of this Act shall not be conditioned upon the availability of Federal loans.

1 SEC. 7. (a) The Surgeon General shall provide for the
2 review of all reports of examinations, investigations, plans,
3 studies, and surveys, made pursuant to the provisions of this
4 Act, and all applications for grants-in-aid or loans under sec-
5 tion 5 or 6. In considering the desirability of commencing,
6 continuing, or extending projects for treatment works and of
7 approving grants-in-aid or loans in connection therewith, the
8 Surgeon General shall have in view the benefits to be derived
9 by the construction thereof in accomplishing the purpose of
10 this Act, and the relation of the ultimate cost of such works,
11 both as to the cost of construction and maintenance, to the
12 public interests involved, the public necessity for such works
13 and propriety of construction in part at the expense of the
14 United States, and the adequacy of the provisions made or
15 agreed upon by the applicant for the grant-in-aid or loan
16 for assuring proper and efficient operation and maintenance
17 of the works after completion of the construction thereof.

18 (b) In recommending estimates of appropriations for
19 grants-in-aid and loans under this Act for any fiscal year,
20 the Surgeon General shall set forth the order or sequence
21 of priority for individual projects in accordance with their
22 estimated importance or value in the elimination or reduc-
23 tion of water pollution. In the Budget the President shall
24 set forth his estimate of expenditures and appropriations for
25 such projects both in summary and by individual projects.

(c) There is hereby established in the Public Health Service a Water Pollution Control Advisory Board to be composed of members as follows: The Surgeon General or a sanitary engineer officer designated by him, who shall be Chairman of the Board; a representative of the Department of War, a representative of the Department of the Interior, and a representative of the Department of Agriculture, designated by the Secretary of War, the Secretary of the Interior, and the Secretary of Agriculture, respectively; and five persons (not officers or employees of the Federal Government) to be appointed annually by the Surgeon General. One of the persons appointed by the Surgeon General shall be an engineer who is expert in sewage and industrial-waste disposal, one shall be a person who shall have shown an active interest in the field of wildlife conservation, and, except as the Surgeon General may determine that the purposes of this Act will be better furthered by different representation, one shall be a person representative of municipal government, one shall be a person representative of State government, and one shall be a person representative of affected industry. The members of the Board who are not officers or employees of the United States shall be entitled to receive compensation at a per diem rate to be fixed by the Federal Security Administrator, together with an allowance for actual and necessary traveling and subsistence expenses while engaged

1 on the business of the Board. It shall be the duty of the
2 Board to review the policies and program of the Public
3 Health Service as undertaken under authority of this Act
4 and to make recommendations thereon in reports to the
5 Surgeon General. Such clerical and technical assistance as
6 may be necessary to discharge the duties of the Board shall
7 be provided from the personnel of the Public Health Service.

8 (d) There are authorized to be appropriated annually
9 such sums, not in excess of \$100,000,000 for any fiscal year,
10 as may be necessary for grants-in-aid and loans under the
11 provisions of sections 5 and 6 of this Act. Sums so appro-
12 priated with respect to any project shall remain available
13 for such project until expended. If the amount appropriated
14 by Congress with respect to any project is in excess of the
15 percentage of the actual cost of the project which is to be
16 covered by Federal aid, such excess shall revert to the
17 Treasury.

18 SEC. 8. (a) There is hereby authorized to be appro-
19 priated for each fiscal year, beginning with the fiscal year
20 ending June 30, 1947, the sum of \$1,500,000, to be allotted
21 and paid to the States for expenditure by or under the direc-
22 tion of their respective State health authorities, and to inter-
23 state agencies for expenditure by them, in the promotion,
24 investigation, surveys, and studies necessary in the preven-
25 tion and control of water pollution. Sums appropriated pur-

1 suant to this subsection shall be allotted, under the super-
2 vision of the Surgeon General, in accordance with regula-
3 tions prescribed by the Federal Security Administrator, and
4 shall be paid prior to audit or settlement by the General
5 Accounting Office. The amount of any allotment to any
6 State or interstate agency for any fiscal year remaining un-
7 paid or unexpended at the end of such fiscal year shall be
8 available for allotment hereunder for the succeeding fiscal
9 year, in addition to the amount appropriated for such year.

10 (b) To enable the Surgeon General to assist in the
11 advance planning of treatment works by States, municipali-
12 ties, or other political subdivisions, any portion of the funds
13 appropriated pursuant to this section may, at his discretion
14 and subject to the provisions of section 5, be allocated to
15 State health authorities and interstate agencies to be used as
16 grants-in-aid for the preparation of engineering reports.

17 SEC. 9. (a) To assist in carrying out the purposes of this
18 Act, the appointment of engineer and scientist officers may
19 be made under the provisions of section 208 (b) of the
20 Public Health Service Act, in addition to the appointments
21 authorized by such section 208 (b) ; but no more than five
22 such additional officers shall hold office at the same time.

23 (b) The Federal Security Administrator, with the con-
24 sent of the head of any other agency of the Federal Govern-
25 ment, may utilize such officers and employees of such agency

1 as may be found necessary to assist in carrying out the
2 purposes of this Act.

3 (c) The Surgeon General shall have authority to utilize
4 an appropriate agency of the United States designated by the
5 President for the purpose of reviewing the title, location,
6 plans, and specifications for the construction of treatment
7 works, and of supervising and awarding and performance of
8 contracts pursuant to plans approved under the provisions
9 of this Act.

10 SEC. 10. When used in this Act—

11 (a) The term “State health authority” means the State
12 health department, State board of health, or any State
13 agency charged with the duties of enforcing State laws per-
14 taining to public health or to the abatement of pollution of
15 waters;

16 (b) The term “interstate agency” means an agency of
17 two or more States having powers or duties pertaining to the
18 abatement of pollution of waters;

19 (c) The term “treatment works” means the various
20 devices used in the treatment of sewage or industrial waste of
21 a liquid nature, including the necessary intercepting sewers,
22 outfall sewers, pumping and power equipment, and their
23 appurtenances;

24 (d) The term “State” includes the District of Columbia
25 and any Territory or possession of the United States;

1 (e) The term “interstate waters” means all rivers,
2 lakes, and other waters, and their tributaries, that flow across,
3 or form a part of, State or international boundaries; and

4 (f) The term “municipality” means a city, town, dis-
5 trict, or other public body created by State law and having
6 jurisdiction within its boundaries over disposal of sewage,
7 industrial wastes, or other wastes.

8 SEC. 11. This Act may be cited as the “Water Pollution
9 Control Act”.

A BILL

To provide for water-pollution-control activities in the United States Public Health Service, and for other purposes.

By Mr. BARKLEY and Mr. TAFT

JANUARY 29 (legislative day, JANUARY 27), 1947
Read twice and referred to the Committee on
Public Works

STREAM POLLUTION CONTROL

JULY 8 (legislative day, JULY 7), 1947.—Ordered to be printed

Mr. MALONE, from the Committee on Public Works, submitted the following

REPORT

[To accompany S. 418]

The Committee on Public Works, to whom was referred the bill (S. 418) providing for water-pollution-control activities in the United States Public Health Service, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill, as amended, do pass.

PURPOSE OF THE BILL

The purpose of the bill (S. 418) is to provide a comprehensive program for preventing, abating, and controlling water pollution, to be prepared or adopted by the Surgeon General, under the supervision of the Federal Security Agency, and in cooperation with the Federal Works Agency, and with other Federal agencies, State water pollution agencies, interstate agencies, and with municipalities and industries. The bill states the policy of the Congress to recognize, preserve, and protect the primary responsibilities and rights of the States in controlling water pollution. It provides for Federal technical services and loans not to exceed in the aggregate \$100,000,000 in any fiscal year at an interest rate of 2 percent per annum to States and interstate agencies and to industries. The bill makes it clear that enforcement procedures are to be initiated only after reasonable time is given a State or interstate agency or industry to comply with the remedial measures recommended by the Surgeon General to abate the pollution, and then only with the consent of the water pollution agency (or of any officer or agency authorized to give such consent) of the State in which the agency or industry is located. Provision is also made for the holding of a public hearing prior to the institution of a suit to abate pollution, and the court in rendering its judgment is directed to give due consideration to the practicability and to the physical and economic feasibility of securing abatement of any pollution proved.

GENERAL STATEMENT

The pollution of our water resources by domestic and industrial wastes has become an increasingly serious problem due to the rapid growth of our cities and industries. Large and increasing amounts of varied wastes must be disposed of from these concentrated areas. Polluted waters menace the public health (through contamination of water and food supplies), destroy fish and game life, and rob us of other benefits of our natural resources.

The Subcommittee on Flood Control and Improvement of Rivers and Harbors held 10 days of actual hearings over a period of 6 weeks, at which statements were heard from 38 witnesses, representing many fields of activity interested in water pollution. The witnesses included Members of Congress and several experts on public health and sanitation, conservation of natural resources, and industries engaged in water uses. In addition, 35 others filed statements with the committee.

Practically all of the statements heard or received by the committee are in agreement with the desirability of reducing and controlling pollution of streams and the majority are in favor of a Federal pollution-control program. A substantial number, however, feel that Federal participation in such a program should be limited in scope and that primary responsibility for dealing with water-pollution problems should remain with the States and other local authorities.

Federal participation in pollution abatement has been considered by all but six Congresses since the Fifty-fifth Congress in 1897. In all, over 100 bills have been introduced; 3 of these were passed by one or both Houses, but none was finally approved.

Four pollution control bills have been introduced in the House of Representatives during this Congress: H. R. 123, H. R. 315, H. R. 470, and H. R. 3990. S. 418 is identical to H. R. 315 and H. R. 470. H. R. 123 differs slightly from the others. H. R. 3990 is a modification of H. R. 123 and contains some of the provisions of S. 418 as amended. Consideration has been given to H. R. 123, H. R. 3990 and to the amendments and suggestions offered as to S. 418.

The information developed at the hearings furnished ample proof that water pollution has become a matter of grave concern in many areas, and that its damaging effects on the public health and natural resources are a matter of definite Federal concern as a menace to national welfare. The committee is convinced that further progress in pollution abatement must be undertaken in order to control this menace to the public health and natural resources. The committee agrees with the views of many witnesses that the Federal Government should take the initiative in developing comprehensive plans for the solution of water pollution problems in cooperation with the States. The committee also considers that the extension of Federal credit to local agencies for construction of pollution abatement works will greatly stimulate the construction phase of the comprehensive program and thus encourage the early accomplishment of urgently needed abatement measures.

The bill as amended leaves the initial responsibility for enforcement with the States. Federal enforcement is to be exercised only after

the efforts of the State have been exhausted, and then only with the consent of the State. The committee is deeply impressed with the serious effects of polluted waters upon the public health and welfare and is firmly convinced that failure to accomplish adequate progress in pollution abatement under the terms of this bill, through the cooperative efforts of the Federal and State agencies, will undoubtedly call for much stronger and more direct Federal enforcement measures at some subsequent session of the Congress.

AMENDMENTS

The bill, as amended, reflects what are deemed to be the pertinent constructive suggestions made in the course of the hearings. The amendments in effect accomplish the following results:

The respective activities of the Federal Security Agency and the Federal Works Agency are set forth in the bill. Prior to the amendments effecting this result, the Surgeon General, under the supervision and direction of the Federal Security Administrator, was, in the main, the only Federal official to whom, under the bill, was given the responsibility and authority relating to water pollution control. The committee agrees that the responsibility for the diagnoses of the causes of stream pollution, the development of remedies, and the justification of expenditures are properly entrusted to the Surgeon General of the United States Public Health Service. The execution of the remedies, however, involves the design and construction of sewage-treatment works by non-Federal public bodies and industries to be financed, in part, by loans from the Federal Government. The committee is convinced that the agency presently organized on a Nation-wide basis and best qualified to supervise this type of non-Federal construction program is the Federal Works Agency. The Federal Works Agency, together with its constituent units, has constructed or financed over 1,500 sewer projects throughout the United States, and has made advances for the planning of more than 1,300 additional sewage disposal and treatment works. Its engineers, finance personnel, and lawyers are skilled in the preparation and review of detailed plans and specifications, the making of construction estimates, the inspection of work, and the issuance of municipal bonds, particularly revenue bonds, by means of which bonds it is expected a considerable portion of the program will be financed. The committee considers that the designation of the Federal Works Agency to perform these functions will permit the program to go ahead with a maximum of speed and efficiency and a minimum of administrative expense. The Public Health Service and the Federal Works Agency, each contributing its special skills and working together cooperatively, can accomplish more than either of them working alone. Both of these agencies agree with this point of view. The provision that the Federal Security Administrator, with the consent of the head of any other agency of the Federal Government, may utilize such officers and employees of such agencies as may be found necessary to assist in carrying out the purposes of the bill is retained in section 9 (b).

Throughout the bill the term "State water pollution agency" is used in lieu of the term "State health authority." This amendment is for the purpose of removing any possible confusion between the terms of this bill and the terms used in other statutes pertaining to the Public Health Service.

The Surgeon General is given authority in section 2 (a) to adopt comprehensive programs as well as to prepare such programs.

Section 2 (c) is amended so as to make it clear that no interstate agreement or compact shall be binding unless and until it has been approved by the Congress.

Section 2 (d) of the bill, being the enforcement section, is largely rewritten

(a) It is made clear by definition in section 2 (d) (1) that the pollution which is to be abated under the provisions of the bill is the pollution of interstate waters (whether the matter causing or contributing to such pollution is discharged directly into such waters or reaches such waters after it is discharged into a tributary of such waters) which endangers the health and welfare of persons in a State other than that in which the discharge originates.

(b) In paragraph 2 of section 2 (d) the reasonableness of the time within which remedial measures shall be taken by an offending party to secure the abatement of pollution is left open for ultimate determination by the court, instead of by the Surgeon General. Under the bill, before amendment, it was provided in effect that upon failure of the offending party to abate the pollution within the time specified, but not to exceed 2 years, an action to abate such pollution should be brought in the name of the United States by any United States attorney when requested to do so by the Surgeon General. Under section 2 (d) (3), when there is a failure to abate pollution after notification or a failure on the part of the State water pollution agency or interstate agency to initiate a suit to secure such abatement, the Federal Security Administrator is authorized to call a public hearing, to be held in or near one of the places where such pollution originates, before a board of five or more persons appointed by the Administrator. The board may be composed of officers or employees of the Federal Security Agency or of the water pollution agency or interstate agency of the State or States where such discharge or discharges originate but at least one member of the board shall be a representative of the State water pollution agency of the State or States where such discharge or discharges originate and at least one shall be a representative of the Department of Commerce, and not less than the majority of the board shall be persons other than officers or employees of the Federal Security Agency. After the hearing, the board makes its recommendations to the Federal Security Administrator concerning the measures, if any, which it finds to be reasonable to secure abatement of the pollution. Also, after the person discharging the matter causing the pollution has had reasonable opportunity to comply with the recommendations of the board, the Federal Security Administrator may, with the consent of the water pollution agency (or of any officer or agency authorized to give such consent) of the State or States in which the matter causing or contributing to the pollution is discharged, request the Attorney General to bring a suit on behalf of the United States to secure abatement of the pollution. Provision is also made for the joinder as parties defendant, with the consent of the water pollution agency (or of any officer or agency authorized to give such consent) of the State in which such matter is discharged, of any person who is alleged to be contributing to the pollution, the abatement of which is sought. The court is given power to enforce its judgment against any such defendant, regardless of the location of such defend-

ant. Also, where two or more persons located in different judicial districts are originally joined as defendants, the suit may be commenced in the judicial district in which any discharge caused by any of the defendants occurs. It is provided that the court shall receive in evidence a transcript of the proceedings before the board, a copy of the board's recommendation, and such further evidence as the court deems proper, and that the court, in rendering its judgment, shall give due consideration to the practicability and physical and economic feasibility of securing abatement of any pollution proved.

A definition of the term "person" is inserted as section 2 (d) (8).

Section 2 (d) represents a compromise of the view of those persons who believe in immediate and drastic action to abate pollution and the view of those persons who feel that the activity of the Federal Government should be limited to financial aid and to surveys and studies as to pollution abatement and recommendations based thereon. It is the thought of the latter group that through the cooperative efforts of the Federal Government and State or interstate authorities and industries practically all feasible pollution abatement can be accomplished. It is the view of the advocates of immediate and drastic enforcement that the presently existing dangers to public health and the destruction of fish and other aquatic life and the impairment of streams for the purposes of navigation and recreation are so pressing that they demand prompt attention. There were a number of witnesses at the hearings who pointed out the far-reaching unfavorable economic effects of any immediate effort to abate pollution now being caused by certain industries. Large investments have been made by such industries, many communities are dependent upon them for the support of their population, and their products are greatly needed and make a substantial contribution to the general welfare of the country. Certain industry witnesses took the position that in considering the problem of industrial waste the principle of the balancing of conveniences and needs should apply. In support of this position, one witness quoted the following excerpt from an opinion rendered in 1906 by Judge Beatty of the United States District Court for the District of Idaho in the case of *McCarthy et al. v. Bunker Hill & Sullivan Mining and Coal Co. et al.* (147 Fed. 981) which was a suit to restrain mining companies from dumping mine wastes into streams:

But, admitting that complainants have suffered injury, and may suffer more from the causes alleged, there is potent reason why the court should exercise its discretion against the issuing of a restraining order. . Without detailing the reasons, such an order would mean the closing of every mill and mine, of every shop, store, or place of business, in the Coeur d'Alene. There are about 12,000 people, the majority of whom are laboring people, dependent upon the mines for their livelihood. Not only would their present occupation cease, but all these people must remove to other places, for the mines constitute the sole means of occupation, and when they finally close, Wallace and Wardner, Gem and Burke, and their surrounding mountains will again become the abode only of silence and the wild fauna. Any court must hesitate to so act as to bring such results.

In some cases it appears that industries are now and have been giving considerable attention to the perfecting of measures for the abatement of the pollution caused by their respective plants, but thus far no feasible solution has been found for taking care of such pollution. The committee has borne all of these matters in mind, but it also recognizes that the health of the citizens of this country is of paramount importance. By providing for a hearing before a representative board and by requiring the consent of the water pollution agency

(or of any officer or agency authorized to give such consent) of each State wherein are located the municipality, persons, or industries which are to be proceeded against in any Federal suit, the committee is endeavoring to give all parties concerned an opportunity to present their positions prior to the commencement of any legal proceeding and to give due recognition to the primary rights and responsibilities of the States and to the first-hand information which each State has or may secure as to all phases of any pollution problem originating in it.

As hereinbefore set forth, the necessity for the abatement of stream pollution has been before the Congress for some time. Unless the cooperative measures, and what the committee deems to be very reasonable enforcement procedures provided for in the bill, bring about the recognized needed results, it is reasonable to anticipate that a later Congress will enact very much more stringent enforcement legislation.

Section 5 is amended so as to make the Federal Works Administrator, instead of the Federal Security Administrator, the Federal official authorized to extend loans for the construction of necessary treatment works and the preparation of reports, plans, and specifications in connection therewith. As amended, the section omits any provision for grants-in-aid. Also, a stated rate of interest, namely, 2 percent per annum, is provided as compared with a provision in the original draft that loans should bear interest at the rate prescribed by the President and be made upon such terms and conditions as the President may prescribe. This provision for a fixed rate of interest is in line with section 904, title 7, chapter 31, United States Code, as amended September 21, 1944, which authorizes the Administrator of the REA to make loans for financing rural electrification systems at an interest rate of 2 percent per annum. It is also provided that no loans shall be made for any project unless such project shall have been approved by the appropriate State water pollution agency or agencies and by the Surgeon General and unless the project is included in a comprehensive program developed pursuant to the bill. The Federal Works Administrator, instead of the Federal Security Administrator, looks after all legal, financial, and other matters pertaining to the security of the loan. It is also provided that the bonds or other obligations evidencing any loan made to any State, municipality, or interstate agency, may be subordinated, to the extent deemed feasible by the Federal Works Administrator, to other bonds or obligations of the obligor issued to finance such project or that may then be outstanding. Similar changes are made in section 6 with reference to loans to industrial enterprises, except that there is no provision for subordinating the security of the Federal Government as to such loans.

The committee is moved to make the amendments to sections 5 and 6 hereinbefore mentioned because it feels that the present favorable financial position of most political subdivisions removes the necessity for grants-in-aid and that loans up to one-third of the total cost of a project will be sufficient to stimulate the construction of pollution abatement projects and to enable their financing through private agencies at low rates of interest, in view of the provision for subordinating the security of the Federal Government to the security of such private lending agency. Furthermore, as developed in the

testimony, it appears that many of the States now provide for the issuance of revenue bonds by sewage disposal agencies, which bonds are self-liquidating and do not come within the usual constitutional and statutory debt limitation provisions. The elimination of grants-in-aid was also prompted by the committee's feeling that the present extremely large Federal debt did not justify grants-in-aid if there was a reasonable probability that pollution abatement could be otherwise financed under reasonable provisions and rates.

The provision at the end of sections 5 and 6 that compliance with the act shall not be conditioned upon the availability of Federal grants-in-aid or loans is omitted as unnecessary and in conflict with the spirit of cooperation enunciated throughout the bill.

In section 7, subparagraph (b) of the original bill, providing for setting forth in the estimates of appropriations for any fiscal year the order of sequence of priority for individual projects in accordance with their estimated importance in the control of water pollution, has been omitted. Also omitted is the provision that the President shall set forth in the budget his estimate of expenditures and appropriations for such projects both in summary and by individual projects. It is believed that the fixing of priorities in recommending estimates of appropriations is undesirable, in view of the fact that the Federal Security Agency, through the Surgeon General, will be required to make an adequate showing as to the need for any sums which may be appropriated. It is also provided in section 7 (c) that sums appropriated shall remain available until expended. It is felt that this provision is proper, since grants-in-aid are eliminated and since the Federal Works Administrator must give careful consideration to any loan made by the Federal Government both before the extending of the loan and after the loan is made. Provision is made in section 7 (d) for the appropriation of such sums as may be necessary to enable the Federal Security Agency and the Federal Works Agency to carry out their respective functions under the bill.

The Water Pollution Control Advisory Board, established under the provisions of section 7 (b), is to include a representative of the Federal Works Agency and six persons (not officers or employees of the Federal Government), instead of five, to be appointed by the President, instead of by the Surgeon General. It is believed that these changes will tend toward a better balanced and more representative board.

Section 8 (a) of the bill is amended to provide that the appropriations for the conducting of investigations, surveys, and studies related to the prevention and control of water pollution may be for the sum of \$5,000,000, instead of \$1,500,000, as it appeared that \$1,500,000 would be inadequate to cover the activities named. The first appropriation for this purpose is to be for the fiscal year ending June 30, 1948, rather than for the fiscal year ending June 30, 1947. Subparagraph (b) of the original section 8 is omitted because it relates to grants-in-aid for the preparation of engineering reports. In lieu thereof a new subdivision (b) is inserted which authorizes the appropriation of not to exceed \$12,000,000 for the making of advances to States, municipalities, or interstate agencies to aid in financing the cost of engineering, architectural, and economic investigations and studies, and other actions preliminary to the construction of projects. Such advances shall be repayable without interest upon the commencement of the construction of the particular project.

The provision in section 9 (c) in the original bill, giving the Surgeon General authority to utilize an appropriate agency of the United States for the purpose of reviewing the title and performing other functions in connection with the construction of treatment works, is omitted because under the provisions of the bill as amended these duties are performed by the fully adequate staff of the Federal Works Agency. Provision is made in section 9 (c) for the transfer of funds by the Federal Security Administrator to the Federal Works Administrator for the making of loans pursuant to sections 5 and 6 of the bill. The Federal Works Administrator is authorized to look after all matters pertaining to the bonds or other obligations evidencing any loans made under the bill and the collecting of interest on and the principal of such bonds and obligations. Also, the Surgeon General and Federal Works Administrator are each authorized to prescribe such regulations as are necessary to carry out their respective functions.

In view of the use of the term "State water pollution agency" in lieu of "State health authority," the former term is defined in section 10 (a) to include State health authority and other agencies charged with the responsibility for enforcing State laws relating to the abatement of water pollution. The definition of the term "treatment works" in section 10 (c) is enlarged so as to make it clear that it includes extensions, improvements, remodeling, additions, and alterations. The definition of the term "State" in section 10 (d) is modified to name specifically the geographical entities which it covers. In section 10 (e) the definition of the term "interstate waters" is modified so as to exclude "and their tributaries." This change is made so as to remove some uncertainty as to the application of the term "interstate waters" as indicated by witnesses at the hearings, and in view of the provision in section 2 as to what shall constitute a nuisance to be abated under the provisions of the bill.

A new section, numbered 11, is added so as to make it clear that this bill does not supersede or limit the functions of the Surgeon General of the Public Health Service or any other officer or agency of the United States, under any other law relating to water pollution and does not affect or impair the provisions of the Oil Pollution Act of 1924 or sections 13 through 17 of the act approved March 3, 1899, as amended, which makes it unlawful to discharge refuse other than liquids into navigable waters.

A new section 12 includes the usual separability clause.

Section 13, which was formerly numbered section 11, cites this legislation as the "Water Pollution Control Act."

Some language changes and additions are made solely for the purpose of clarity.

The title is amended to conform to the text.

Calendar No. 477

80TH CONGRESS
1ST SESSION

S. 418

[Report No. 462]

IN THE SENATE OF THE UNITED STATES

JANUARY 29 (legislative day, JANUARY 27), 1947

Mr. BARKLEY (for himself and Mr. TAFT) introduced the following bill; which
was read twice and referred to the Committee on Public Works

JULY 8 (legislative day, JULY 7), 1947

Reported by Mr. MALONE, with amendments

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To provide for water-pollution-control activities in the United
States Public Health Service, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That in ~~connection~~ with the exercise of jurisdiction over the
4 waterways of the Nation and in consequence of the benefits
5 resulting to the public health and welfare by the abatement
6 of stream pollution, it is hereby declared to be the policy
7 of Congress to recognize, preserve, and protect the primary
8 responsibilities and rights of the States in controlling water
9 pollution, and to provide Federal technical services and
10 financial aid to State and interstate agencies in the formula-

tion and execution of their stream pollution abatement programs.— To this end, the Surgeon General of the Public Health Service, under the supervision and direction of the Federal Security Administrator, shall have the responsibilities and authority relating to water-pollution control provided for in this Act.

SEC. 2. (a) The Surgeon General shall, after careful investigation, and in cooperation with other Federal agencies, with State health authorities and interstate agencies, and with the municipalities and industries involved, prepare comprehensive programs for eliminating or reducing the pollution and improving the sanitary condition of the surface and underground waters in or adjacent to any State. In the development of such comprehensive programs due regard shall be given to the improvements which are necessary to conserve such waters and promote their use for public water supplies, propagation of fish and aquatic life, recreational purposes, and agricultural, industrial, and other legitimate uses, and for this purpose the Surgeon General is authorized to make joint investigations with any such agencies of the condition of any waters in any State or States, and of the discharges of any sewage, industrial wastes, or substance which may deleteriously affect such waters.

(b) The Surgeon General shall encourage cooperative activities by the States for the prevention and abatement of

1 water pollution; encourage the enactment of uniform State
2 laws relating to water pollution; encourage compacts be-
3 tween States for the prevention and abatement of water
4 pollution; collect and disseminate information; make avail-
5 able to State agencies, municipalities, industries, and in-
6 dividuals the results of such surveys, studies, investigations,
7 and experiments conducted by the Surgeon General and by
8 cooperating agencies, public and private; and furnish such
9 assistance to State agencies as may be authorized by law.

10 ~~(c)~~ The consent of the Congress is hereby given to two
11 or more States to negotiate agreements or compacts, not in
12 conflict with any law of the United States, for ~~(1)~~ cooper-
13 ative effort and mutual assistance for the prevention and
14 abatement of water pollution and the enforcement of their
15 respective laws relating thereto; and ~~(2)~~ the establishment
16 of such agencies, joint or otherwise, as they may deem
17 desirable for making effective such agreements and compacts.

18 ~~(d)~~ Whenever it be found that the pollution of interstate
19 waters in or adjacent to any State or States is such that in
20 the opinion of the Surgeon General, based upon reports,
21 surveys, and studies of such waters, the health or welfare of
22 citizens of the United States is being jeopardized thereby, the
23 Surgeon General may give formal notification thereof to the
24 appropriate State health authority or interstate agency.
25 This notification may outline recommended remedial meas-

1 ures which are reasonable and equitable and shall specify
2 a time regarded by the Surgeon General as reasonable to
3 secure the abatement of the pollution. If action to abate
4 such pollution is not taken within the time specified, this
5 failure shall again be brought to the attention of the appro-
6 priate State health authority or interstate agency and may
7 be accompanied by a recommendation that suit to abate the
8 pollution be initiated forthwith by such State health authority
9 or interstate agency in a court of proper jurisdiction. If
10 such suit is not initiated within a reasonable time, not to
11 exceed two years, an action to abate such pollution shall
12 then be brought in the name of the United States by any
13 United States attorney when requested to do so by the
14 Surgeon General. Such action shall be brought as an action
15 in equity, and may be brought in any court of the United
16 States having jurisdiction to hear and determine equity
17 cases.

18 SEC. 3. The Public Health Service, upon request of any
19 State health authority or interstate agency, shall, subject to
20 the approval of the Surgeon General, conduct investigations
21 and make surveys of any specific problem of water pollution
22 confronting any State, drainage-basin authority, community,
23 municipality, or industrial plant, with a view to effecting a
24 solution of such problem.

25 SEC. 4. The Public Health Service shall prepare and

1 publish, from time to time, reports of such surveys, studies,
2 investigations, and experiments made under the authority of
3 this Act as the Surgeon General may consider desirable,
4 together with appropriate recommendations with regard to
5 the control of water pollution.

6 SEC. 5. The Federal Security Administrator is author-
7 ized to extend Federal aid in the form of grants-in-aid, loans,
8 or both, to any State, municipality, or other public body
9 for the construction of necessary treatment works to prevent
10 the discharge by such State, municipality, or other public
11 body of untreated or inadequately treated sewage or other
12 waste into the surface or underground waters in or adjacent
13 to any State, and for the preparation (either by its engineer-
14 ing staff or by practicing engineers employed for that pur-
15 pose) of engineering reports, plans, and specifications in
16 connection therewith. Such loans and grants-in-aid shall
17 be made upon such terms and conditions as the President
18 may prescribe, subject to the following limitations: (1)
19 Grants-in-aid or loans shall be made only with respect to
20 projects approved by the appropriate State health authority
21 and by the Surgeon General; (2) no grant-in-aid shall be
22 made in respect of any project of any amount in excess of
23 $33\frac{1}{3}$ per centum of the reasonable cost, as determined by
24 the Surgeon General, of such project, including prepara-
25 tion of plans and the carrying of same into execution; (3)

1 all loans made under this section shall bear interest at the
2 rate prescribed by the President. Compliance with the
3 provisions of this Act shall not be conditioned upon the
4 availability of Federal grants-in-aid or loans.

5 SEC. 6. The Federal Security Administrator is author-
6 ized to extend Federal aid in the form of loans to industrial
7 enterprises for the construction of necessary treatment works
8 and the preparation of engineering reports, plans, and speci-
9 fications in connection therewith, to prevent the discharge
10 by such enterprises of untreated or inadequately treated
11 sewage or other waste into the surface or underground
12 waters in or adjacent to any State, which in the opinion of
13 the Surgeon General would substantially impair the quality
14 of such waters. Such loans shall be made upon such terms
15 and conditions as the President may prescribe, subject to
16 the following limitations: (1) Loans shall be made only
17 with respect to projects approved by the appropriate State
18 health authority and by the Surgeon General; (2) all loans
19 made under this section shall be fully and adequately secured
20 and shall bear interest at the rate prescribed by the Presi-
21 dent; (3) each loan may be made for a period not exceed-
22 ing ten years. Compliance with the provisions of this Act
23 shall not be conditioned upon the availability of Federal
24 loans.

25 SEC. 7. (a) The Surgeon General shall provide for the

1 review of all reports of examinations, investigations, plans,
2 studies, and surveys, made pursuant to the provisions of this
3 Act, and all applications for grants-in-aid or loans under sec-
4 tion 5 or 6. In considering the desirability of commencing,
5 continuing, or extending projects for treatment works and of
6 approving grants-in-aid or loans in connection therewith, the
7 Surgeon General shall have in view the benefits to be derived
8 by the construction thereof in accomplishing the purpose of
9 this Act, and the relation of the ultimate cost of such works,
10 both as to the cost of construction and maintenance, to the
11 public interests involved, the public necessity for such works
12 and propriety of construction in part at the expense of the
13 United States, and the adequacy of the provisions made or
14 agreed upon by the applicant for the grant-in-aid or loan
15 for assuring proper and efficient operation and maintenance
16 of the works after completion of the construction thereof.

17 (b) In recommending estimates of appropriations for
18 grants-in-aid and loans under this Act for any fiscal year,
19 the Surgeon General shall set forth the order or sequence
20 of priority for individual projects in accordance with their
21 estimated importance or value in the elimination or reduc-
22 tion of water pollution. In the Budget the President shall
23 set forth his estimate of expenditures and appropriations for
24 such projects both in summary and by individual projects.

25 (c) There is hereby established in the Public Health

1 Service a Water Pollution Control Advisory Board to be
2 composed of members as follows: The Surgeon General or
3 a sanitary engineer officer designated by him, who shall be
4 Chairman of the Board; a representative of the Department
5 of War, a representative of the Department of the Interior,
6 and a representative of the Department of Agriculture, desig-
7 nated by the Secretary of War, the Secretary of the Interior,
8 and the Secretary of Agriculture, respectively; and five per-
9 sons (not officers or employees of the Federal Government)
10 to be appointed annually by the Surgeon General. One of
11 the persons appointed by the Surgeon General shall be an
12 engineer who is expert in sewage and industrial waste dis-
13 posal, one shall be a person who shall have shown an active
14 interest in the field of wildlife conservation, and, except as
15 the Surgeon General may determine that the purposes of
16 this Act will be better furthered by different representation,
17 one shall be a person representative of municipal government,
18 one shall be a person representative of State government,
19 and one shall be a person representative of affected industry.
20 The members of the Board who are not officers or employees
21 of the United States shall be entitled to receive compensation
22 at a per diem rate to be fixed by the Federal Security
23 Administrator, together with an allowance for actual and
24 necessary traveling and subsistence expenses while engaged
25 on the business of the Board. It shall be the duty of the

1 Board to review the policies and program of the Public
2 Health Service as undertaken under authority of this Act
3 and to make recommendations thereon in reports to the
4 Surgeon General. Such clerical and technical assistance as
5 may be necessary to discharge the duties of the Board shall
6 be provided from the personnel of the Public Health Service.

7 (d) There are authorized to be appropriated annually
8 such sums, not in excess of \$100,000,000 for any fiscal year,
9 as may be necessary for grants-in-aid and loans under the
10 provisions of sections 5 and 6 of this Act. Sums so appro-
11 priated with respect to any project shall remain available
12 for such project until expended. If the amount appropriated
13 by Congress with respect to any project is in excess of the
14 percentage of the actual cost of the project which is to be
15 covered by Federal aid, such excess shall revert to the
16 Treasury.

17 SEC. 8. (a) There is hereby authorized to be appro-
18 priated for each fiscal year, beginning with the fiscal year
19 ending June 30, 1947, the sum of \$1,500,000, to be allotted
20 and paid to the States for expenditure by or under the direc-
21 tion of their respective State health authorities, and to inter-
22 state agencies for expenditure by them, in the promotion,
23 investigation, surveys, and studies necessary in the preven-
24 tion and control of water pollution. Sums appropriated pur-

1 suant to this subsection shall be allotted, under the super-
2 vision of the Surgeon General, in accordance with regula-
3 tions prescribed by the Federal Security Administrator, and
4 shall be paid prior to audit or settlement by the General
5 Accounting Office. The amount of any allotment to any
6 State or interstate agency for any fiscal year remaining un-
7 paid or unexpended at the end of such fiscal year shall be
8 available for allotment hereunder for the succeeding fiscal
9 year, in addition to the amount appropriated for such year.

10 (b) To enable the Surgeon General to assist in the
11 advance planning of treatment works by States, municipali-
12 ties, or other political subdivisions, any portion of the funds
13 appropriated pursuant to this section may, at his discretion
14 and subject to the provisions of section 5, be allocated to
15 State health authorities and interstate agencies to be used as
16 grants in aid for the preparation of engineering reports.

17 SEC. 9. (a) To assist in carrying out the purposes of this
18 Act, the appointment of engineer and scientist officers may
19 be made under the provisions of section 208 (b) of the
20 Public Health Service Act, in addition to the appointments
21 authorized by such section 208 (b); but no more than five
22 such additional officers shall hold office at the same time.

23 (b) The Federal Security Administrator, with the con-
24 sent of the head of any other agency of the Federal Govern-
25 ment, may utilize such officers and employees of such agency

1 as may be found necessary to assist in carrying out the
2 purposes of this Act.

3 ~~(c)~~ The Surgeon General shall have authority to utilize
4 an appropriate agency of the United States designated by the
5 President for the purpose of reviewing the title, location,
6 plans, and specifications for the construction of treatment
7 works, and of supervising and awarding and performance of
8 contracts pursuant to plans approved under the provisions
9 of this Act.

10 SEC. 10. When used in this Act—

11 ~~(a)~~ The term “State health authority” means the State
12 health department, State board of health, or any State
13 agency charged with the duties of enforcing State laws per-
14 taining to public health or to the abatement of pollution of
15 waters;

16 ~~(b)~~ The term “interstate agency” means an agency of
17 two or more States having powers or duties pertaining to the
18 abatement of pollution of waters;

19 ~~(c)~~ The term “treatment works” means the various
20 devices used in the treatment of sewage or industrial waste of
21 a liquid nature, including the necessary intercepting sewers,
22 outfall sewers, pumping and power equipment, and their
23 appurtenances;

24 ~~(d)~~ The term “State” includes the District of Columbia
25 and any Territory or possession of the United States;

1 ~~(e)~~ The term "interstate waters" means all rivers, lakes,
2 and other waters, and their tributaries, that flow across, or
3 form a part of, State or international boundaries; and

4 ~~(f)~~ The term "municipality" means a city, town, dis-
5 trict, or other public body created by State law and having
6 jurisdiction within its boundaries over disposal of sewage,
7 industrial wastes, or other wastes.

8 ~~SEC. 11.~~ This Act may be cited as the "Water Pollution
9 Control Act".

10 *That in connection with the exercise of jurisdiction over the*
11 *waterways of the Nation and in consequence of the benefits*
12 *resulting to the public health and welfare by the abatement*
13 *of stream pollution, it is hereby declared to be the policy*
14 *of Congress to recognize, preserve, and protect the primary*
15 *responsibilities and rights of the States in controlling water*
16 *pollution, and to provide Federal technical services and*
17 *financial aid to State and interstate agencies and to industries*
18 *in the formulation and execution of their stream pollution*
19 *abatement programs. To this end, the Surgeon General of*
20 *the Public Health Service (under the supervision and direc-*
21 *tion of the Federal Security Administrator) and the Federal*
22 *Works Administrator shall have the responsibilities and*
23 *authority relating to water pollution control vested in them*
24 *respectively by this Act.*

25 ~~SEC. 2.~~ (a) The Surgeon General shall, after careful

1 investigation, and in cooperation with other Federal agencies,
2 with State water pollution agencies and interstate agencies,
3 and with the municipalities and industries involved, prepare
4 or adopt comprehensive programs for eliminating or reduc-
5 ing the pollution and improving the sanitary condition of
6 the surface and underground waters in or adjacent to any
7 State. In the development of such comprehensive programs
8 due regard shall be given to the improvements which are
9 necessary to conserve such waters for public water supplies,
10 propagation of fish and aquatic life, recreational purposes,
11 and agricultural, industrial, and other legitimate uses, and
12 for this purpose the Surgeon General is authorized to make
13 joint investigations with any such agencies of the condition
14 of any waters in any State or States, and of the discharges
15 of any sewage, industrial wastes, or substance which may
16 deleteriously affect such waters.

17 (b) The Surgeon General shall encourage cooperative
18 activities by the States for the prevention and abatement of
19 water pollution; encourage the enactment of uniform State
20 laws relating to water pollution; encourage compacts between
21 States for the prevention and abatement of water pollution;
22 collect and disseminate information relating to water pollution
23 and the prevention and abatement thereof; make available to
24 State and interstate agencies, municipalities, industries, and

1 individuals the results of surveys, studies, investigations, and
2 experiments relating to such matters conducted by the Sur-
3 geon General and by cooperating agencies, public and pri-
4 vate; and furnish such assistance to State agencies as may
5 be authorized by law.

6 (c) The consent of the Congress is hereby given to two
7 or more States to negotiate and enter into agreements or com-
8 pacts, not in conflict with any law of the United States, for
9 (1) cooperative effort and mutual assistance for the preven-
10 tion and abatement of water pollution and the enforcement
11 of their respective laws relating thereto, and (2) the establish-
12 ment of such agencies, joint or otherwise, as they may deem
13 desirable for making effective such agreements and compacts.
14 No such agreement or compact shall be binding or obligatory
15 upon any State a party thereto unless and until it has been
16 approved by the Congress.

17 (d) (1) The pollution of interstate waters in or ad-
18 jacent to any State or States (whether the matter causing or
19 contributing to such pollution is discharged directly into
20 such waters or reaches such waters after discharge into a
21 tributary of such waters), which endangers the health or
22 welfare of persons in a State other than that in which the
23 discharge originates, is hereby declared to be a public
24 nuisance and subject to abatement as herein provided.

25 (2) Whenever the Surgeon General, on the basis of

1 reports, surveys, and studies, finds that any pollution de-
2 clared to be a public nuisance by paragraph (1) of this sub-
3 section is occurring, he shall give formal notification thereof
4 to the person or persons discharging any matter causing or
5 contributing to such pollution and shall advise the water
6 pollution agency or interstate agency of the State or States
7 where such discharge or discharges originate of such
8 notification. This notification may outline recommended
9 remedial measures which are reasonable and equitable in that
10 case and shall specify a reasonable time to secure abatement
11 of the pollution. If action calculated to secure abatement of
12 the pollution within the time specified is not commenced, this
13 failure shall again be brought to the attention of the person
14 or persons discharging the matter and of the water pollution
15 agency or interstate agency of the State or States where such
16 discharge or discharges originate. The notification to such
17 agency may be accompanied by a recommendation that it
18 initiate a suit to abate the pollution in a court of proper
19 jurisdiction.

20 (3) If, within a reasonable time after the second
21 notification by the Surgeon General, the person or persons
22 discharging the matter fail to initiate action to abate the
23 pollution or the State water pollution agency or interstate
24 agency fails to initiate a suit to secure abatement, the Federal
25 Security Administrator is authorized to call a public hearing,

1 to be held in or near one or more of the places where the dis-
2 charge or discharges causing or contributing to such pollution
3 originate, before a board of five or more persons appointed by
4 the Administrator, who may be officers or employees of the
5 Federal Security Agency or of the water pollution agency or
6 interstate agency of the State or States where such discharge
7 or discharges originate (except that at least one of the mem-
8 bers of the board shall be a representative of the water
9 pollution agency of the State or States where such discharge
10 or discharges originate and at least one shall be a repre-
11 sentative of the Department of Commerce, and not less
12 than a majority of the board shall be persons other than officers
13 or employees of the Federal Security Agency). On the basis
14 of the evidence presented at such hearing the board shall make
15 its recommendations to the Federal Security Administrator
16 concerning the measures, if any, which it finds to be reasonable
17 and equitable to secure abatement of such pollution.

18 (4) After affording the person or persons discharging
19 the matter causing or contributing to the pollution reasonable
20 opportunity to comply with the recommendations of the
21 board, the Federal Security Administrator may, with the
22 consent of the water pollution agency (or of any officer or
23 agency authorized to give such consent) of the State or
24 States in which the matter causing or contributing to the
25 pollution is discharged, request the Attorney General to

1 *bring a suit on behalf of the United States to secure abatement*
2 *of the pollution.*

3 (5) *Before or after any suit authorized by paragraph*
4 *(4) is commenced, any person who is alleged to be dis-*
5 *charging matter contributing to the pollution, abatement of*
6 *which is sought, may, with the consent of the water pollution*
7 *agency (or of any officer or agency authorized to give such*
8 *consent) of the State in which such matter is discharged,*
9 *be joined as a defendant. The court shall have power to*
10 *enforce its judgment against any such defendant.*

11 (6) *In any suit brought pursuant to paragraph (4)*
12 *in which two or more persons in different judicial districts*
13 *are originally joined as defendants, the suit may be com-*
14 *menced in the judicial district in which any discharge caused*
15 *by any of the defendants occurs.*

16 (7) *The court shall receive in evidence in any such suit a*
17 *transcript of the proceedings before the board and a copy*
18 *of the board's recommendation; and may receive such further*
19 *evidence as the court in its discretion deems proper. The*
20 *court, giving due consideration to the practicability and to*
21 *the physical and economic feasibility of securing abatement*
22 *of any pollution proved, shall have jurisdiction to enter such*
23 *judgment, and orders enforcing such judgment, as the public*
24 *interest and the equities of the case may require.*

1 (8) *As used in this subsection the term "person" in-*
2 *cludes an individual, corporation, partnership, association,*
3 *a State, municipality, and a political subdivision of a State.*

4 *SEC. 3. The Surgeon General may, upon request of*
5 *any State water-pollution agency or interstate agency, con-*
6 *duct investigations and make surveys of any specific problem*
7 *of water pollution confronting any State, interstate agency,*
8 *community, municipality, or industrial plant, with a view to*
9 *recommending a solution of such problem.*

10 *SEC. 4. The Surgeon General shall prepare and publish,*
11 *from time to time, reports of such surveys, studies, investi-*
12 *gations, and experiments made under the authority of this*
13 *Act as he may consider desirable, together with appropriate*
14 *recommendations with regard to the control of water*
15 *pollution.*

16 *SEC. 5. The Federal Works Administrator is author-*
17 *ized, subject to the provisions of section 9 (c), to make loans*
18 *to any State, municipality, or interstate agency for the*
19 *construction of necessary treatment works to prevent the*
20 *discharge by such State or municipality of untreated or in-*
21 *adequately treated sewage or other waste into the surface or*
22 *underground waters in or adjacent to any State, and for*
23 *the preparation (either by its engineering staff or by practic-*
24 *ing engineers employed for that purpose) of engineering*
25 *reports, plans, and specifications in connection therewith.*

1 Such loans shall be subject, however, to the following limita-
2 tions: (a) No loan shall be made for any project unless such
3 project shall have been approved by the appropriate State
4 water pollution agency or agencies and by the Surgeon
5 General, and unless such project is included in a compre-
6 hensive program developed pursuant to this Act; (b) no
7 loan shall be made for any project in an amount exceeding
8 $33\frac{1}{3}$ per centum of the estimated reasonable cost thereof,
9 as determined by the Federal Works Administrator; (c)
10 every such loan shall bear interest at the rate of 2 per centum
11 per annum, payable semiannually; and (d) the bonds or
12 other obligations evidencing any such loan (1) must be
13 duly authorized and issued pursuant to State and local law,
14 and (2) may, as to the security thereof and the payment
15 of principal thereof and interest thereon, be subordinated
16 (to the extent deemed feasible and desirable by the Federal
17 Works Administrator for facilitating the financing of such
18 projects) to other bonds or obligations of the obligor issued
19 to finance such project or that may then be outstanding.

20 SEC. 6. The Federal Works Administrator is author-
21 ized, subject to the provisions of section 9 (c), to extend
22 Federal aid in the form of loans to industrial enterprises for
23 the construction of necessary treatment works and the prep-
24 aration of engineering reports, plans, and specifications in
25 connection therewith, to prevent the discharge by such enter-

prises of untreated or inadequately treated sewage or other waste into the surface or underground waters in or adjacent to any State. Such loans shall be subject, however, to the following limitations: (a) No loan shall be made for any project unless such project shall have been approved by the appropriate State water pollution agency and by the Surgeon General, and is included in a comprehensive program developed pursuant to this Act; (b) no loan shall be made for any project in an amount exceeding $33\frac{1}{3}$ per centum of the estimated reasonable cost thereof, as determined by the Federal Works Administrator; (c) each loan shall be fully and adequately secured and bear interest at the rate of 2 per centum per annum, payable semiannually; and (d) each loan may be for a period not exceeding ten years.

SEC. 7. (a) The Surgeon General and the Federal Works Administrator, in carrying out their respective functions under this Act, shall provide for the review of all reports of examinations, investigations, plans, studies, and surveys, made pursuant to the provisions of this Act, and all applications for loans under section 5 or 6. In determining the desirability of projects for treatment works and of approving loans in connection therewith, consideration shall be given to the public benefits to be derived by the construction thereof, the propriety of Federal aid in such construction, the relation of the ultimate cost of constructing and maintaining the works

1 to the public interest and to the public necessity for the works,
2 and the adequacy of the provisions made or proposed by the
3 applicant for the loan for assuring proper and efficient opera-
4 tion and maintenance of the works after completion of the
5 construction thereof.

6 (b) There is hereby established in the Public Health
7 Service a Water Pollution Control Advisory Board to be
8 composed as follows: The Surgeon General or a sanitary
9 engineer officer designated by him, who shall be Chairman
10 of the Board, a representative of the Department of War,
11 a representative of the Department of the Interior, a repre-
12 sentative of the Federal Works Agency, and a representa-
13 tive of the Department of Agriculture, designated by the
14 Secretary of War, the Secretary of the Interior, the Federal
15 Works Administrator, and the Secretary of Agriculture,
16 respectively; and six persons (not officers or employees of
17 the Federal Government) to be appointed annually by the
18 President. One of the persons appointed by the President
19 shall be an engineer who is expert in sewage and industrial-
20 waste disposal, one shall be a person who shall have shown
21 an active interest in the field of wildlife conservation, and,
22 except as the President may determine that the purposes of
23 this Act will be better furthered by different representation,
24 one shall be a person representative of municipal govern-
25 ment, one shall be a person representative of State govern-

1 ment, and one shall be a person representative of affected
2 industry. The members of the Board who are not officers
3 or employees of the United States shall be entitled to receive
4 compensation at a per diem rate to be fixed by the Federal
5 Security Administrator, together with an allowance for
6 actual and necessary traveling and subsistence expenses while
7 engaged on the business of the Board. It shall be the duty
8 of the Board to review the policies and program of the
9 Public Health Service as undertaken under authority of
10 this Act and to make recommendations thereon in reports to
11 the Surgeon General. Such clerical and technical assistance
12 as may be necessary to discharge the duties of the Board shall
13 be provided from the personnel of the Public Health Service.

14 (c) There are authorized to be appropriated annually
15 to the Federal Security Agency such sums, not in excess
16 of \$100,000,000 for any fiscal year, as may be necessary for
17 loans under the provisions of sections 5 and 6 of this Act.
18 Sums so appropriated shall remain available until expended.

19 (d) There is hereby authorized to be appropriated to
20 the Federal Security Agency and the Federal Works Agency
21 for each fiscal year such sums as may be necessary to enable
22 them to carry out their respective functions under this Act.

23 SEC. 8. (a) There is hereby authorized to be appro-
24 priated to the Federal Security Agency for each fiscal year,
25 beginning with the fiscal year ending June 30, 1948, the

1 sum of \$5,000,000, to be allotted and paid to the States for
2 expenditure by or under the direction of their respective
3 State water pollution agencies, and to interstate agencies for
4 expenditure by them, for the conduct of investigations, sur-
5 veys, and studies related to the prevention and control of
6 water pollution. Sums appropriated pursuant to this sub-
7 section shall be allotted by the Surgeon General, in accord-
8 ance with regulations prescribed by the Federal Security
9 Administrator, and shall be paid prior to audit or settlement
10 by the General Accounting Office. The amount of any allot-
11 ment to any State or interstate agency for any fiscal year
12 remaining unexpended at the end of such fiscal year shall be
13 available for allotment hereunder for the succeeding fiscal
14 year, in addition to the amount appropriated for such year.

15 (b) There is hereby authorized to be appropriated to
16 the Federal Works Agency for each fiscal year, beginning
17 with the fiscal year ending June 30, 1948, a sum not to
18 exceed the sum of \$12,000,000 to enable the Federal Works
19 Administrator to make advances to States, municipalities, or
20 interstate agencies to aid in financing the cost of engineering,
21 architectural, and economic investigations and studies, sur-
22 veys, designs, plans, working drawings, specifications, pro-
23 cedures, and other action preliminary to the construction of
24 projects approved by the appropriate State water pollution
25 agency or agencies and by the Surgeon General. Any such

1 advances shall be repayable, without interest, upon the com-
2 mencement of construction of the project for which the advance
3 is made.

4 SEC. 9. (a) To assist in carrying out the purposes of
5 this Act, the appointment of engineer and scientist officers may
6 be made under the provisions of section 208 (b) (1) of the
7 Public Health Service Act, in addition to the appointments
8 authorized by such section 208 (b) (1); but not more than
9 five such additional officers shall hold office at the same time.

10 (b) The Federal Security Administrator, with the con-
11 sent of the head of any other agency of the Federal Govern-
12 ment, may utilize such officers and employees of such agency
13 as may be found necessary to assist in carrying out the pur-
14 poses of this Act.

15 (c) (1) Upon written requests of the Federal Works
16 Administrator, from time to time submitted to the Federal
17 Security Administrator, specifying (a) particular projects
18 approved by the Surgeon General, (b) the total estimated
19 costs of such projects, and (c) the total sum requested for
20 loans which the Federal Works Administrator proposes to
21 make for such projects, the Federal Security Administrator
22 shall transfer such total sum (within the amount appropri-
23 ated therefor) to the Federal Works Administrator for the
24 making of loans for such projects pursuant to sections 5 and
25 6 hereof. In making such loans, the Federal Works Ad-

1 *ministrator shall adhere to the order or sequence of priority*
2 *for projects established by the Surgeon General and shall*
3 *take such measures as, in his judgment, will assure that the*
4 *engineering plans and specifications, the details of construc-*
5 *tion, and the completed treatment works conform to the*
6 *project as approved by the Surgeon General; and the Fed-*
7 *eral Works Administrator shall furnish written reports to*
8 *the Federal Security Administrator on the progress of the*
9 *work.*

10 *(2) The Federal Works Administrator is hereby au-*
11 *thorized (a) to hold, administer, exchange, refund, or sell at*
12 *public or private sale any bonds or other obligations evidenc-*
13 *ing loans made under this Act; and (b) to collect, or provide*
14 *for the collection of, interest on and principal of such bonds*
15 *or other obligations. All moneys received as proceeds from*
16 *such sales, and all moneys so collected, shall be covered into*
17 *the Treasury as miscellaneous receipts.*

18 *(d) The Surgeon General and the Federal Works Ad-*
19 *ministrator are each authorized to prescribe such regulations*
20 *as are necessary to carry out their respective functions under*
21 *this Act.*

22 *SEC. 10. When used in this Act—*

23 *(a) The term "State water pollution agency" means the*
24 *State health authority, except that, in the case of any State*
25 *in which there is a single State agency, other than the State*

1 health authority, charged with responsibility for enforcing
2 State laws relating to the abatement of water pollution, it
3 means such other State agency;

4 (b) The term "interstate agency" means an agency of
5 two or more States having powers or duties pertaining to the
6 abatement of pollution of waters;

7 (c) The term "treatment works" means the various
8 devices used in the treatment of sewage or industrial waste of
9 a liquid nature, including the necessary intercepting sewers,
10 outfall sewers, pumping, power, and other equipment, and
11 their appurtenances, and includes any extensions, improve-
12 ments, remodeling, additions, and alterations thereof;

13 (d) The term "State" means a State, the District of
14 Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin
15 Islands;

16 (e) The term "interstate waters" means all rivers,
17 lakes, and other waters that flow across, or form a part
18 of, State or international boundaries; and

19 (f) The term "municipality" means a city, town, dis-
20 trict, or other public body created by or pursuant to State
21 law and having jurisdiction over disposal of sewage, indus-
22 trial wastes, or other wastes.

23 SEC. 11. This Act shall not be construed as (1) super-
24 seding or limiting the functions, under any other law, of the
25 Surgeon General or of the Public Health Service, or of any

1 other officer or agency of the United States, relating to water
2 pollution, or (2) affecting or impairing the provisions of the
3 Oil Pollution Act, 1924, or sections 13 through 17 of the Act
4 entitled "An Act making appropriations for the construction,
5 repair, and preservation of certain public works on rivers
6 and harbors, and for other purposes", approved March 3,
7 1899, as amended.

8 *SEC. 12. If any provision of this Act, or the application*
9 *of any provision of this Act to any person or circumstance,*
10 *is held invalid, the application of such provision to other*
11 *persons or circumstances, and the remainder of this Act, shall*
12 *not be affected thereby.*

13 *SEC. 13. This Act may be cited as the "Water Pollution*
14 *Control Act".*

Amend the title so as to read: "A bill to provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes."

80TH CONGRESS
1ST SESSION

S. 418

[Report No. 462]

A BILL.

To provide for water-pollution-control activities in the United States Public Health Service, and for other purposes.

By Mr. BARKLEY and Mr. TAFT.

JANUARY 29 (legislative day, JANUARY 27), 1947
Read twice and referred to the Committee on
Public Works

JULY 8 (legislative day, JULY 7), 1947
Reported with amendments

18. WATER POLLUTION. Passed with amendments S. 418, to provide for water-pollution-control activities in the U.S. Public Health Service (pp. 9207-9).
19. PERSONNEL; VETERANS. Passed over S. 999, to amend the Veterans' Preference Act with respect to preference accorded in Federal employment to disabled veterans (p. 9202).
20. FEDERAL AID TO EDUCATION. Passed over on objection S. 472, to authorize appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools (p. 9203).
21. NATIONAL FORESTS. Passed over on objection S.J.Res. 118, to authorize sale of timber within the Tongass National Forest (pp. 9204, 9216).
22. DAYLIGHT SAVING TIME. Passed over on objection S. 1481, to authorize the D.C. Commissioners to establish daylight saving time in D.C. (p. 9210).
23. FOREIGN AFFAIRS. Passed over on objection S.J.Res. 46, authorizing appropriations for the construction, operation, and maintenance of the western land boundary fence project and Rio Grande Border fence project (p. 9210).
24. COTTONSEED STATISTICS. Discussed and passed over on objection S. 1497, relating the collection and publication of cottonseed and cottonseed products statistics (pp. 9210-1).
25. PERSONNEL; VETERANS. Passed over on objection S. 416, to extend veterans' preference benefits to widowed mothers of certain ex-servicemen (p. 9214).

HOUSE

26. RESEARCH. Passed with amendments H.R. 4102, to create a National Science Foundation (pp. 9236-70). S. 526, the National Science Foundation bill as passed by the Senate was then passed with an amendment inserting the language of H.R. 4102 (p. 9270). An amendment by Rep. Robertson, N.Dak., to provide a formula for apportionment of the funds among the States, was rejected (pp. 9264-8).
27. EXECUTIVE ORGANIZATION. Rep. Brown (Ohio) and Rep. Manasco (Ala.), Herbert Hoover and James Rowe, Jr., were appointed by the Speaker to be members of the Commission on Organization of the Executive Branch (p. 9276).
28. LANDS. The Public Lands Committee reported with amendments H.R. 3538, to authorize investigation and reports on projects for reclaiming lands by drainage (H.Rept. 942) (p. 9288).
The Public Lands Committee reported with an amendment H.R. 4059, to provide for the settlement of certain Alaska lands by veterans (H.Rept. 944) (p. 9288).
29. WAR DEPARTMENT MILITARY APPROPRIATION BILL, 1948. Conferees were appointed on this bill, H.R. 3678 (p. 9224). Senate conferees were appointed July 15.
30. INDEPENDENT OFFICES APPROPRIATION BILL, 1948. Reps. Wigglesworth, Phillips, Robertson, Coudert, Hendricks, Andrews (Ala.), and Thomas (Tex.) were appointed conferees on this bill, H.R. 3839 (p. 9224). Senate conferees appointed July 15.
31. LATIN AMERICA. The Foreign Affairs Committee reported without amendment H.R. 4168, to reincorporate the Institute of Inter-American Affairs (H.Rept. 944) (p. 9289).
The Foreign Affairs Committee reported without amendment H.J.Res. 231, providing for U.S. membership in the Caribbean Commission (H.Rept. 956) (p. 9289).

32. SURPLUS PROPERTY; FLOOD CONTROL. The Expenditures in the Executive Departments Committee reported without amendment S. 1515, to make surplus property available for the alleviation of damage caused by flood or other catastrophe (H.Rept. 959) (p. 9289).
33. PURCHASING; FOREIGN AFFAIRS. The Foreign Affairs Committee reported with amendments H.R. 4010, to authorize any agency of the U.S. Government to furnish or to procure and furnish materials, supplies, and equipment to public international organizations on a reimbursable basis (H.Rept. 952) (p. 9288).
34. PERSONNEL. The Post Office and Civil Service Committee reported with amendments H.R. 739, to provide for the protection of veterans and career-service employees in connection with reduction in force in the Federal service (H.Rept. 945) (p. 9288).
35. LIVESTOCK SUBSIDIES. The Banking and Currency Committee reported with amendment H.R. 3738, to authorize retroactive subsidies to certain livestock slaughterers who became eligible under a regulation effective July 23, 1945, changing the definition of a non-processing slaughterer (H. Rept. 951) (p. 9288).
36. ROADS. Received from the Interior Department a proposed bill to extend the Federal Aid Road Act to Alaska and to transfer certain functions of the Interior Department to the Public Roads Administration (p. 9288).
37. PUBLIC WORKS. Agreed to H.Res. 211, authorizing and directing the Public Works Committee to conduct surveys of certain works of improvement (p. 9273).
38. FOREIGN RELIEF. Rep. Ellis, W.V., urged a careful investigation of our foreign relief program before we consider any new proposal (pp. 9224-5).
39. HEALTH; FOREIGN AFFAIRS. The Foreign Affairs Committee ordered reported (but did not actually report) H.R. 161, to authorize U.S. participation in a World Health Organization (p. 9548).
40. WILDLIFE. The Merchant Marine and Fisheries Committee ordered reported (but did not actually report) S. 616, authorizing a game refuge in Francis Marion National Forest; and H.R. 4018, authorizing the transfer of Government real property no longer needed by the agency controlling it and chiefly valuable for wildlife purposes to State wildlife agencies or the Interior Department for use in wildlife conservation (p. 9549).

BILLS INTRODUCED

41. MARKETING. S. 1640, by Sen. Russell, Ga., providing for grants to aid in establishing farmers' markets. To Agriculture and Forestry Committee. (p. 9172.)
42. COLUMBIA VALLEY AUTHORITY. S. 1647, by Sen. Taylor, Idaho (for himself and others), to establish a Columbia Valley Authority to provide for integrated water control and resource development on the Columbia River, etc. To Public Works Committee. Remarks of author. (pp. 9172-4.)
43. PERSONNEL. S. 1644, by Sen. O'Connor, Md., to amend the Veterans' Preference Act so as to permit rescission of prior-agency action in complying with recommendations of the CSC pursuant to appeals taken by preference employees. To Civil Service Committee. (p. 9172.)
- H.R. 4236, by Rep. Morrison, La., to amend the Civil Service Act to remove certain discrimination with respect to the appointment of persons having any physical handicap to positions in the classified civil service. To Post Office

It is an old fort which has been abandoned by the War Department. The Boundary Commission is in need of the facilities there for its offices, and for transacting business relating to the work of the International Boundary Commission. That work will be greatly increased in view of the treaty which we recently ratified with Mexico relating to the division of the waters of the Rio Grande. I hope the Senator from New Mexico, because of his neighborly feeling for Texas, will not make objection.

Mr. CHAVEZ. Mr. President, New Mexico has been cooperating with Texas for many, many years. Over.

The PRESIDENT pro tempore. The bill will be passed over.

EASEMENT IN LANDS IN LONG BEACH, CALIF.

The bill (H. R. 3252) to authorize the Secretary of the Navy to convey to the city of Long Beach, Calif., for street purposes an easement in certain lands within the Navy housing project at Long Beach, Calif., was considered, ordered to a third reading, read the third time, and passed.

EASEMENT IN LANDS IN HAWAII

The bill (H. R. 3053) to authorize the Secretary of the Navy to convey to the Territory of Hawaii an easement for public highway and utility purposes in certain parcels of land in the district of Ewa, T. H., was considered, ordered to a third reading, read the third time, and passed.

LUMP-SUM PAYMENTS TO SURVIVORS OF CERTAIN DECEASED OFFICERS

The bill (H. R. 2314) to amend section 12 of the Naval Aviation Cadet Act of 1942, as amended, and to amend section 2 of the act of June 16, 1936, as amended, so as to authorize lump-sum payments under the said acts to the survivors of deceased officers without administration of estates was considered, ordered to a third reading, read the third time, and passed.

EASEMENT IN LANDS IN BIBB COUNTY, GA.

The bill (H. R. 3056) to authorize the Secretary of the Navy to convey to the city of Macon, Ga., and Bibb County, Ga., an easement for public road and utility purposes in certain Government-owned lands situated in Bibb County, Ga., and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

HOUSING FOR CERTAIN DISABLED VETERANS OF WORLD WAR II—BILL PASSED OVER

The bill (S. 1293) to enable the Veterans' Administration to provide housing units for certain disabled veterans of World War II was announced next in order.

Mr. TAFT. Let the bill go over.

Mr. McCARTHY. Mr. President, I ask the Senator to withhold his objection until I can make a brief statement.

Mr. TAFT. Certainly.

Mr. McCARTHY. The bill was reported unanimously by the Committee

on Banking and Currency. It met with the approval of the Veterans' Administration. The main purpose of the bill is to enable the Veterans' Administration to help paraplegics, men who have suffered spinal-cord injuries, in World War I and World War II, and who will be confined to wheel chairs for the remainder of their lives. The bill would enable the Veterans' Administration to help those men get homes, so that at least to some extent they may live a normal life.

Moreover, we are all convinced, I believe without exception, that the bill would cost the Government nothing. It costs roughly \$23 a day to house a paraplegic. That runs to approximately \$7,000 a year. If we can place them in homes of their own, while the initial cost of helping to furnish the homes will be approximately \$8,000 or \$9,000, within a period of 2 or 3 years there will be a tremendous saving. As I say, the bill was unanimously approved by the committee.

Mr. TAFT. Mr. President, this is a proposal to give houses to veterans, which is a very expensive project. We have seen the result of the proposal to give them automobiles. At first they were limited to amputees who had lost legs. This year we have before us a bill proposing to extend the benefits to amputees who have lost arms, and to those with other disabilities.

The question I wish to ask is, what is meant by "permanent and total service-connected disability"? That term would include more than paraplegics. It might include many different types of permanent and total disability. How far may it be extended? It seems to me that the subject ought to be discussed, and that we should not adopt a new policy at this time, without consideration by the Senate, which might in the end cost millions of dollars.

Mr. McCARTHY. Mr. President, let me correct the Senator. I believe he is thinking of the bill as originally introduced. The bill as originally introduced did provide that the Government should give homes to permanent wheel-chair cases. However, after discussing the subject with General Bradley, we limited it to the point where we felt we were merely giving the crippled veteran sufficient money to cover the additional cost of the home because of his particular type of injury. For example, the cost of a home for a paraplegic is much greater than the cost of a home for an average individual. Ramps must be constructed. They cannot use stairways. There must be special types of bathrooms, and special exercise rooms. For that reason the bill provides that the veteran himself will take care of half the cost of the home, on the theory that the cost of the home is about double what it would be in the case of an average individual.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. TAFT. Mr. President, I object.

The PRESIDENT pro tempore. The bill will be passed over.

STREAM POLLUTION CONTROL

The Senate proceeded to consider the bill (S. 418) to provide for water-pollution-control activities in the United States Public Health Service, and for other purposes, which had been reported from the Committee on Public Works with an amendment to strike all after the enacting clause and insert:

That in connection with the exercise of jurisdiction over the waterways of the Nation and in consequence of the benefits resulting to the public health and welfare by the abatement of stream pollution, it is hereby declared to be the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of the States in controlling water pollution, and to provide Federal technical services and financial aid to State and interstate agencies and to industries in the formulation and execution of their stream pollution abatement programs. To this end, the Surgeon General of the Public Health Service (under the supervision and direction of the Federal Security Administrator) and the Federal Works Administrator shall have the responsibilities and authority relating to water pollution control vested in them respectively by this act.

SEC. 2. (a) The Surgeon General shall, after careful investigation, and in cooperation with other Federal agencies, with State water pollution agencies and interstate agencies, and with the municipalities and industries involved, prepare or adopt comprehensive programs for eliminating or reducing the pollution and improving the sanitary condition of the surface and underground waters in or adjacent to any State. In the development of such comprehensive programs due regard shall be given to the improvements which are necessary to conserve such waters for public water supplies, propagation of fish and aquatic life, recreational purposes, and agricultural, industrial, and other legitimate uses, and for this purpose the Surgeon General is authorized to make joint investigations with any such agencies of the condition of any waters in any State or States, and of the discharges of any sewage, industrial wastes, or substance which may deleteriously affect such waters.

(b) The Surgeon General shall encourage cooperative activities by the States for the prevention and abatement of water pollution; encourage the enactment of uniform State laws relating to water pollution; encourage compacts between States for the prevention and abatement of water pollution; collect and disseminate information relating to water pollution and the prevention and abatement thereof; make available to State and interstate agencies, municipalities, industries, and individuals the results of surveys, studies, investigations, and experiments relating to such matter conducted by the Surgeon General and by cooperating agencies, public and private; and furnish such assistance to State agencies as may be authorized by law.

(c) The consent of the Congress is hereby given to two or more States to negotiate and enter into agreements or compacts, not in conflict with any law of the United States, for (1) cooperative effort and mutual assistance for the prevention and abatement of water pollution and the enforcement of their respective laws relating thereto, and (2) the establishment of such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts. No such agreement or compact shall be binding or obligatory upon any State a party thereto unless and until it has been approved by the Congress.

(d) (1) The pollution of interstate waters in or adjacent to any State or States

(whether the matter causing or contributing to such pollution is discharged directly into such waters or reaches such water after discharge into a tributary of such waters), which endangers the health or welfare of persons in a State other than that in which the discharge originates, is hereby declared to be a public nuisance and subject to abatement as herein provided.

(2) Whenever the Surgeon General, on the basis of reports, surveys, and studies, finds that any pollution declared to be a public nuisance by paragraph (1) of this subsection is occurring, he shall give formal notification thereof to the person or persons discharging any matter causing or contributing to such pollution and shall advise the water pollution agency or interstate agency of the State or States where such discharge or discharges originate of such notification. This notification may outline recommended remedial measures which are reasonable and equitable in that case and shall specify a reasonable time to secure abatement of the pollution. If action calculated to secure abatement of the pollution within the time specified is not commenced, this failure shall again be brought to the attention of the person or persons discharging the matter and of the water pollution agency or interstate agency of the State or States where such discharge or discharges originate. The notification to such agency may be accompanied by a recommendation that it initiate a suit to abate the pollution in a court of proper jurisdiction.

(3) If, within a reasonable time after the second notification by the Surgeon General, the person or persons discharging the matter fail to initiate action to abate the pollution or the State water pollution agency or interstate agency fails to initiate a suit to secure abatement, the Federal Security Administrator is authorized to call a public hearing, to be held in or near one or more of the places where the discharge or discharges causing or contributing to such pollution originate, before a board of five or more persons appointed by the Administrator, who may be officers or employees of the Federal Security Agency or of the water pollution agency or interstate agency of the State or States where such discharge or discharges originate (except that at least one of the members of the board shall be a representative of the water pollution agency of the State or States where such discharge or discharges originate and at least one shall be a representative of the Department of Commerce, and not less than a majority of the board shall be persons other than officers or employees of the Federal Security Agency). On the basis of the evidence presented at such hearing the board shall make its recommendations to the Federal Security Administrator concerning the measures, if any, which it finds to be reasonable and equitable to secure abatement of such pollution.

(4) After affording the person or persons discharging the matter causing or contributing to the pollution reasonable opportunity to comply with the recommendations of the board, the Federal Security Administrator may, with the consent of the water pollution agency (or of any officer or agency authorized to give such consent) of the State or States in which the matter causing or contributing to the pollution is discharged, request the Attorney General to bring a suit on behalf of the United States to secure abatement of the pollution.

(5) Before or after any suit authorized by paragraph (4) is commenced, any person who is alleged to be discharging matter contributing to the pollution, abatement of which is sought, may, with the consent of the water pollution agency (or of any officer or agency authorized to give such consent) of the State in which such matter is discharged, be joined as a defendant. The

court shall have power to enforce its judgment against any such defendant.

(6) In any suit brought pursuant to paragraph (4) in which two or more persons in different judicial districts are originally joined as defendants, the suit may be commenced in the judicial district in which any discharge caused by any of the defendants occurs.

(7) The court shall receive in evidence in any such suit a transcript of the proceedings before the board and a copy of the board's recommendation; and may receive such further evidence as the court in its discretion deems proper. The court, giving due consideration to the practicability and to the physical and economic feasibility of securing abatement of any pollution proved, shall have jurisdiction to enter such judgment, and orders enforcing such judgment, as the public interest and the equities of the case may require.

(8) As used in this subsection the term "person" includes an individual, corporation, partnership, association, a State, municipality, and a political subdivision of a State.

SEC. 3. The Surgeon General may, upon request of any State water-pollution agency or interstate agency, conduct investigations and make surveys of any specific problem of water pollution confronting any State, interstate agency, community, municipality, or industrial plant, with a view to recommending a solution of such problem.

SEC. 4. The Surgeon General shall prepare and publish, from time to time, reports of such surveys, studies, investigations, and experiments made under the authority of this act as he may consider desirable, together with appropriate recommendations with regard to the control of water pollution.

SEC. 5. The Federal Works Administrator is authorized, subject to the provisions of section 9 (c), to make loans to any State, municipality, or interstate agency for the construction of necessary treatment works to prevent the discharge by such State or municipality of untreated or inadequately treated sewage or other waste into the surface or underground waters in or adjacent to any State, and for the preparation (either by its engineering staff or by practicing engineers employed for that purpose) of engineering reports, plans, and specifications in connection therewith.

Such loans shall be subject, however, to the following limitations: (a) No loan shall be made for any project unless such project shall have been approved by the appropriate State water-pollution agency or agencies and by the Surgeon General, and unless such project is included in a comprehensive program developed pursuant to this act; (b) no loan shall be made for any project in an amount exceeding 33½ percent of the estimated reasonable cost thereof, as determined by the Federal Works Administrator; (c) every such loan shall bear interest at the rate of 2 percent per annum, payable semiannually; and (d) the bonds or other obligations evidencing any such loan (1) must be duly authorized and issued pursuant to State and local law, and (2) may, as to the security thereof and the payment of principal thereof and interest thereon, be subordinated (to the extent deemed feasible and desirable by the Federal Works Administrator for facilitating the financing of such projects) to other bonds or obligations of the obligor issued, to finance such project or that may then be outstanding.

SEC. 6. The Federal Works Administrator is authorized, subject to the provisions of section 9 (c), to extend Federal aid in the form of loans to industrial enterprises for the construction of necessary treatment works and the preparation of engineering reports, plans, and specifications in connection therewith, to prevent the discharge by such enterprises of untreated or inadequately treated sewage or other waste into

the surface or underground waters in or adjacent to any State. Such loans shall be subject, however, to the following limitations: (a) No loan shall be made for any project unless such project shall have been approved by the appropriate State water-pollution agency and by the Surgeon General, and is included in a comprehensive program developed pursuant to this act; (b) no loan shall be made for any project in an amount exceeding 33½ percent of the estimated reasonable cost thereof, as determined by the Federal Works Administrator; (c) each loan shall be fully and adequately secured and bear interest at the rate of 2 percent per annum, payable semiannually; and (d) each loan may be for a period not exceeding 10 years.

SEC. 7. (a) The Surgeon General and the Federal Works Administrator, in carrying out their respective functions under this act, shall provide for the review of all reports of examinations, investigations, plans, studies, and surveys made pursuant to the provisions of this act, and all applications for loans under section 5 or 6. In determining the desirability of projects for treatment works and of approving loans in connection therewith, consideration shall be given to the public benefits to be derived by the construction thereof, the propriety of Federal aid in such construction, the relation of the ultimate cost of constructing and maintaining the works to the public interest and to the public necessity for the works, and the adequacy of the provisions made or proposed by the applicant for the loan for assuring proper and efficient operation and maintenance of the works after completion of the construction thereof.

(b) There is hereby established in the Public Health Service a Water Pollution Control Advisory Board to be composed as follows: The Surgeon General or a sanitary engineer officer designated by him, who shall be Chairman of the Board, a representative of the Department of War, a representative of the Department of the Interior, a representative of the Federal Works Agency, and a representative of the Department of Agriculture, designated by the Secretary of War, the Secretary of the Interior, the Federal Works Administrator, and the Secretary of Agriculture, respectively; and six persons (not officers or employees of the Federal Government) to be appointed annually by the President. One of the persons appointed by the President shall be an engineer who is expert in sewage and industrial-waste disposal, one shall be a person who shall have shown an active interest in the field of wildlife conservation, and, except as the President may determine that the purposes of this act will be better furthered by different representation, one shall be a person representative of municipal government, one shall be a person representative of State government, and one shall be a person representative of affected industry. The members of the Board who are not officers or employees of the United States shall be entitled to receive compensation at a per diem rate to be fixed by the Federal Security Administrator, together with an allowance for actual and necessary traveling and subsistence expenses while engaged on the business of the Board. It shall be the duty of the Board to review the policies and program of the Public Health Service as undertaken under authority of this act and to make recommendations thereon in reports to the Surgeon General. Such clerical and technical assistance as may be necessary to discharge the duties of the Board shall be provided from the personnel of the Public Health Service.

(c) There are authorized to be appropriated annually to the Federal Security Agency such sums, not in excess of \$100,000,000 for any fiscal year, as may be necessary for loans under the provisions of sections 5 and 6 of

this act. Sums so appropriated shall remain available until expended.

(d) There is hereby authorized to be appropriated to the Federal Security Agency and the Federal Works Agency for each fiscal year such sums as may be necessary to enable them to carry out their respective functions under this act.

Sec. 8. (a) There is hereby authorized to be appropriated to the Federal Security Agency for each fiscal year, beginning with the fiscal year ending June 30, 1948, the sum of \$5,000,000 to be allotted and paid to the States for expenditure by or under the direction of their respective State water-pollution agencies, and to interstate agencies for expenditure by them, for the conduct of investigations, surveys, and studies related to the prevention and control of water pollution. Sums appropriated pursuant to this subsection shall be allotted by the Surgeon General, in accordance with regulations prescribed by the Federal Security Administrator, and shall be paid prior to audit or settlement by the General Accounting Office. The amount of any allotment to any State or interstate agency for any fiscal year remaining unexpended at the end of such fiscal year shall be available for allotment hereunder for the succeeding fiscal year, in addition to the amount appropriated for such year.

(b) There is hereby authorized to be appropriated to the Federal Works Agency for each fiscal year, beginning with the fiscal year ending June 30, 1948, a sum not to exceed the sum of \$12,000,000 to enable the Federal Works Administrator to make advances to States, municipalities, or interstate agencies to aid in financing the cost of engineering, architectural, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other action preliminary to the construction of projects approved by the appropriate State water pollution agency or agencies and by the Surgeon General. Any such advances shall be repayable, without interest, upon the commencement of construction of the project for which the advance is made.

Sec. 9. (a) To assist in carrying out the purposes of this act, the appointment of engineer and scientist officers may be made under the provisions of section 208 (b) (1) of the Public Health Service Act, in addition to the appointments authorized by such section 208 (b) (1); but not more than five such additional officers shall hold office at the same time.

(b) The Federal Security Administrator, with the consent of the head of any other agency of the Federal Government, may utilize such officers and employees of such agency as may be found necessary to assist in carrying out the purposes of this act.

(c) (1) Upon written requests of the Federal Works Administrator, from time to time submitted to the Federal Security Administrator, specifying (a) particular projects approved by the Surgeon General, (b) the total estimated costs of such projects, and (c) the total sum requested for loans which the Federal Works Administrator proposes to make for such projects, the Federal Security Administrator shall transfer such total sum (within the amount appropriated therefor) to the Federal Works Administrator for the making of loans for such projects pursuant to sections 5 and 6 hereof. In making such loans, the Federal Works Administrator shall adhere to the order or sequence of priority for projects established by the Surgeon General and shall take such measure as, in his judgment, will assure that the engineering plans and specifications, the details of construction, and the completed treatment works conform to the project as approved by the Surgeon General; and the Federal Works Administrator shall furnish written reports to the Federal Security Administration on the progress of the work.

(2) The Federal Works Administrator is hereby authorized (a) to hold, administer, exchange, refund, or sell at public or private sale any bonds or other obligations evidencing loans made under this act; and (b) to collect, or provide for the collection of, interest on and principal of such bonds or other obligations. All moneys received as proceeds from such sales, and all moneys so collected, shall be covered into the Treasury as miscellaneous receipts.

(d) The Surgeon General and the Federal Works Administrator are each authorized to prescribe such regulations as are necessary to carry out their respective functions under this act.

Sec. 10. When used in this act—

(a) The term "State water pollution agency" means the State health authority, except that, in the case of any State in which there is a single State agency, other than the State health authority, charged with responsibility for enforcing State laws relating to the abatement of water pollution, it means such other State agency;

(b) The term "interstate agency" means an agency of two or more States having powers or duties pertaining to the abatement of pollution of waters;

(c) The term "treatment works" means the various devices used in the treatment of sewage or industrial waste of a liquid nature, including the necessary intercepting sewers, outfall sewers, pumping, power, and other equipment, and their appurtenances, and includes any extensions, improvements, remodeling, additions, and alterations thereof;

(d) The term "State" means a State, the District of Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin Islands;

(e) The term "interstate waters" means all rivers, lakes, and other waters that flow across, or form a part of, State or international boundaries; and

(f) The term "municipality" means a city, town, district, or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

Sec. 11. This act shall not be construed as (1) superseding or limiting the functions, under any other law, of the Surgeon General or of the Public Health Service, or of any other officer or agency of the United States, relating to water pollution, or (2) affecting or impairing the provisions of the Oil Pollution Act, 1924, or sections 13 through 17 of the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 3, 1899, as amended.

Sec. 12. If any provision of this act, or the application of any provision of this act to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this act, shall not be affected thereby.

Sec. 13. This act may be cited as the "Water Pollution Control Act."

The PRESIDENT pro tempore. The Senator from Nevada [Mr. MALONE] has an amendment at the desk.

Mr. MALONE. Mr. President, I have submitted some minor amendments, consisting of three changes to conform to any international treaty which may involve the boundaries of this country and some other country. I offer the amendments to the committee amendment and ask that they be stated.

The PRESIDENT pro tempore. The amendments offered by the Senator from Nevada to the committee amendment will be stated. Without objection, the amendments will be considered en bloc.

The CHIEF CLERK. On page 14, line 8, after the word "law" it is proposed to insert "or treaty"; on page 26, line 18, after the word "State", it is proposed to insert "or international"; and on page 27, line 7, it is proposed to change the period at the end of the line to a comma and add "or (3) affecting or impairing the provisions of any treaty of the United States."

Mr. RUSSELL. Mr. President, will the Senator from Nevada be good enough to advise us what is likely to be the cost of this measure?

Mr. MALONE. I am very glad that the Senator from Georgia has asked the question. Originally the bill provided \$100,000,000 for grants-in-aid for stream pollution, but the committee changed that to loans at 2 percent interest, and also advanced money for plans and specifications, which money is to be returned when the bond issues are passed by the municipality and the money is available to complete the project. So it is not intended that the bill shall cost the Government anything.

The PRESIDENT pro tempore. The question is on agreeing to the amendments offered by the Senator from Nevada [Mr. MALONE] to the committee amendment.

The amendments to the amendment were agreed to.

The amendment as amended was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes."

BILL PASSED OVER

The bill (H. R. 3215) to revise the Medical Department of the Army and the Medical Department of the Navy, and for other purposes, was announced as next in order.

Mr. LODGE. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

UTILITIES AND RELATED SERVICES IN VICINITY OF NAVAL OR MILITARY ACTIVITIES

The bill (H. R. 3055) to permit the Secretary of the Navy and the Secretary of War to supply utilities and related services to welfare activities, and persons whose business or residence are in the immediate vicinity of naval or military activities and require utilities or related services not otherwise obtainable locally, and for other purposes was announced as next in order.

Mr. AIKEN. Mr. President, may we have an explanation of the bill? Does the Senator from Georgia [Mr. RUSSELL] approve the bill?

Mr. RUSSELL. Yes, Mr. President. With the amendment added by the committee, I think the bill is quite all right.

Mr. AIKEN. I have no objection.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services with an amendment on page 2, after line 21, to insert:

SEC. 5. The authority granted in sections 1, 2, and 3 of this act shall terminate at midnight on December 31, 1952.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CONSTRUCTION OF RAILROAD SIDING IN THE DISTRICT OF COLUMBIA

The bill (H. R. 3744) to authorize the construction of a railroad siding in the vicinity of Franklin Street NE, District of Columbia, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT TO APPROPRIATION LAW OF 1903 FOR THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H. R. 1448), to amend section 7 of an act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes, approved July 1, 1902, which had been reported from the Committee on the District of Columbia, with an amendment, on page 4, line 10, after the word "dwellings", to insert "nor for a rooming house offering accommodations for no more than four roomers."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

EXTENSION OF DISTRICT OF COLUMBIA EMERGENCY RENT ACT

The Senate proceeded to consider the bill (H. R. 3131) to extend for the period of 1 year the provisions of the District of Columbia Emergency Rent Act, approved December 2, 1941, as amended.

Mr. OVERTON. Mr. President, I offer the amendment which is at the desk.

The PRESIDENT pro tempore. The amendment offered by the Senator from Louisiana will be stated.

The CHIEF CLERK. At the end of the bill it is proposed to insert the following new section:

SEC. 2. Section 5 of such act, as amended (D. C. Code, 1940 ed., sec. 45-1605), is amended by inserting at the end thereof the following new subsection:

"(d) The relinquishment of any housing accommodations, other than those in hotels and apartment hotels, by the original tenant, lessee, or occupant thereof shall not affect any subtenant of such tenant, occupant, or lessee, and no action or proceeding to recover possession of such housing accommodations shall be maintainable by any landlord against such subtenant, so long as such subtenant continues to pay the rent to which the landlord may be entitled under the provisions of this act."

Mr. OVERTON. Mr. President, I have consulted the Senator from Rhode

Island [Mr. McGRATH] who has charge of this bill on behalf of the Committee on the District of Columbia, and he says that the committee has no objection to the amendment.

Mr. McGRATH. Mr. President, what I said to the Senator from Louisiana was that the committee would perhaps not object to the substance of the amendment, but I should like to make the position of the committee very clear, in the absence of the Senator from Delaware [Mr. Buck] who would normally be in charge of the bill.

This is a bill to continue the Rent Control Act of the District of Columbia for a period of 3 months. I am about to offer an amendment, after the amendment of the Senator from Louisiana is disposed of, which will correct a technical error in the bill as printed.

As printed, the bill would indicate that this is an extension of the Rent Control Act for 1 year. It is merely an extension of rent control from the 31st of December of this year to the 31st of March, 1948, in order that the Congress may have an opportunity during the early part of next session to determine what it wishes to do about rent control in the District of Columbia.

Unlike the National Rent Control Act, the separate act which governs in the District of Columbia will expire next December. The Congress may not be here, and there may be a continuing emergency which should be met. The committee has felt that we should merely continue the act as it is until that time. There were many desirable amendments offered to the Act which the committee wanted to consider, but inasmuch as it was merely extended for a few months, and inasmuch as any amendments made to the existing act might perhaps result in the defeat of its extension, it was the unanimous decision of the Committee on the District of Columbia to ask for passage of the bill without amendment.

What I said to the Senator from Louisiana [Mr. OVERTON] was that I certainly had no objection to the substance of his amendment, but in carrying out what I knew to be the policy of the Committee on the District of Columbia I would have to ask that the amendment be rejected, because I believe its passage would effectively kill any chance of getting the 3 months' extension which seems so desirable.

Mr. OVERTON. Mr. President, I object to the consideration of the bill.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. OVERTON. I wish to say that I understood the Senator from Rhode Island to say that he would have no objection to my amendment.

BILLS PASSED OVER

The bill (S. 1481) to authorize the Board of Commissioners of the District of Columbia to establish daylight saving time in the District was announced as next in order.

Mr. OVERTON. Let the bill go over. The PRESIDENT pro tempore. The bill will be passed over.

TEMPORARY NATIONAL AIR POLICY BOARD

The bill (S. 1433) to provide for the establishment of a temporary National Air Policy Board was announced as next in order.

SEVERAL SENATORS. Over!

Mr. BREWSTER. Mr. President, I hope that objection will be withheld until this situation is fully understood. It involves the whole question of the future of our air policy. The Committee on Interstate and Foreign Commerce have considered the bill, and all the members of the committee are in favor of the establishment of the Board provided for, which is of a temporary character. It is to be composed of four members of the Cabinet, six Members of the Congress to be appointed by the President and the Speaker of the House, and two other members to be appointed by the President. The evidence has shown that the aircraft industry of this country will utterly collapse unless some radical action is taken. This seems to be the only way of taking constructive action. The temporary National Air Policy Board will make its report to the next Congress, and on the basis of the report it is hoped that steps may be taken which will preserve our aircraft industry. Only 1,500 planes are being built this year, which is not sufficient to maintain our air industry, as all those who are concerned agree. The Members who have considered it have withdrawn all objections, and the administration is in agreement. So I hope the bill may have favorable consideration at this time.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

Mr. McCARRAN. Over.

The PRESIDENT pro tempore. The bill will be passed over.

JOINT RESOLUTION AND BILL PASSED OVER

The joint resolution (S. J. Res. 46) authorizing appropriations for the construction, operation, and maintenance of the western land boundary fence project and Rio Grande border fence project was announced as next in order.

SEVERAL SENATORS. Over!

The PRESIDENT pro tempore. The joint resolution will be passed over.

The bill (H. R. 2298) to amend the Interstate Commerce Act, as amended, was announced as next in order.

Mr. WHERRY. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

STATISTICS OF COTTONSEED AND COTTONSEED PRODUCTS

The bill (S. 1497) to amend the act entitled "An act authorizing the Director of the Census to collect and publish statistics of cottonseed and cottonseed products" was announced as next in order.

Mr. HAWKES. Mr. President, I offer two minor amendments which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. First, is there object to the consideration of the bill?

Mr. RUSSELL. Mr. President, I should like to ask a question or two. I notice the

80TH CONGRESS
1ST SESSION

S. 418

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 1947

Referred to the Committee on Public Works

AN ACT

To provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That in connection with the exercise of jurisdiction over the
4 waterways of the Nation and in consequence of the benefits
5 resulting to the public health and welfare by the abatement
6 of stream pollution, it is hereby declared to be the policy
7 of Congress to recognize, preserve, and protect the primary
8 responsibilities and rights of the States in controlling water
9 pollution, and to provide Federal technical services and
10 financial aid to State and interstate agencies and to industries

1 in the formulation and execution of their stream pollution
2 abatement programs. To this end, the Surgeon General of
3 the Public Health Service (under the supervision and direc-
4 tion of the Federal Security Administrator) and the Federal
5 Works Administrator shall have the responsibilities and
6 authority relating to water pollution control vested in them
7 respectively by this Act.

8 SEC. 2. (a) The Surgeon General shall, after careful
9 investigation, and in cooperation with other Federal agencies,
10 with State water pollution agencies and interstate agencies,
11 and with the municipalities and industries involved, prepare
12 or adopt comprehensive programs for eliminating or reduc-
13 ing the pollution and improving the sanitary condition of
14 the surface and underground waters in or adjacent to any
15 State. In the development of such comprehensive programs
16 due regard shall be given to the improvements which are
17 necessary to conserve such waters for public water supplies,
18 propagation of fish and aquatic life, recreational purposes,
19 and agricultural, industrial, and other legitimate uses, and
20 for this purpose the Surgeon General is authorized to make
21 joint investigations with any such agencies of the condition
22 of any waters in any State or States, and of the discharges
23 of any sewage, industrial wastes, or substance which may
24 deleteriously affect such waters.

25 (b) The Surgeon General shall encourage cooperative

1 activities by the States for the prevention and abatement of
2 water pollution; encourage the enactment of uniform State
3 laws relating to water pollution; encourage compacts between
4 States for the prevention and abatement of water pollution;
5 collect and disseminate information relating to water pollution
6 and the prevention and abatement thereof; make available to
7 State and interstate agencies, municipalities, industries, and
8 individuals the results of surveys, studies, investigations, and
9 experiments relating to such matters conducted by the Sur-
10 geon General and by cooperating agencies, public and pri-
11 vate; and furnish such assistance to State agencies as may
12 be authorized by law.

13 (c) The consent of the Congress is hereby given to two
14 or more States to negotiate and enter into agreements or com-
15 pacts, not in conflict with any law or treaty of the United
16 States, for (1) cooperative effort and mutual assistance for
17 the prevention and abatement of water pollution and the
18 enforcement of their respective laws relating thereto, and
19 (2) the establishment of such agencies, joint or otherwise,
20 as they may deem desirable for making effective such
21 agreements and compacts. No such agreement or compact
22 shall be binding or obligatory upon any State a party
23 thereto unless and until it has been approved by the Congress.

24 (d) (1) The pollution of interstate waters in or ad-
25 jacent to any State or States (whether the matter causing or

1 contributing to such pollution is discharged directly into
2 such waters or reaches such waters after discharge into a
3 tributary of such waters), which endangers the health or
4 welfare of persons in a State other than that in which the
5 discharge originates, is hereby declared to be a public
6 nuisance and subject to abatement as herein provided.

7 (2) Whenever the Surgeon General, on the basis of
8 reports, surveys, and studies, finds that any pollution de-
9 clared to be a public nuisance by paragraph (1) of this sub-
10 section is occurring, he shall give formal notification thereof
11 to the person or persons discharging any matter causing or
12 contributing to such pollution and shall advise the water
13 pollution agency or interstate agency of the State or States
14 where such discharge or discharges originate of such
15 notification. This notification may outline recommended
16 remedial measures which are reasonable and equitable in that
17 case and shall specify a reasonable time to secure abatement
18 of the pollution. If action calculated to secure abatement of
19 the pollution within the time specified is not commenced, this
20 failure shall again be brought to the attention of the person
21 or persons discharging the matter and of the water pollution
22 agency or interstate agency of the State or States where such
23 discharge or discharges originate. The notification to such
24 agency may be accompanied by a recommendation that it

1 initiate a suit to abate the pollution in a court of proper
2 jurisdiction.

3 (3) If, within a reasonable time after the second
4 notification by the Surgeon General, the person or persons
5 discharging the matter fail to initiate action to abate the
6 pollution or the State water pollution agency or interstate
7 agency fails to initiate a suit to secure abatement, the Federal
8 Security Administrator is authorized to call a public hearing,
9 to be held in or near one or more of the places where the dis-
10 charge or discharges causing or contributing to such pollution
11 originate, before a board of five or more persons appointed by
12 the Administrator, who may be officers or employees of the
13 Federal Security Agency or of the water pollution agency or
14 interstate agency of the State or States where such discharge
15 or discharges originate (except that at least one of the mem-
16 bers of the board shall be a representative of the water
17 pollution agency of the State or States where such discharge
18 or discharges originate and at least one shall be a repre-
19 sentative of the Department of Commerce, and not less
20 than a majority of the board shall be persons other than
21 officers or employees of the Federal Security Agency). On
22 the basis of the evidence presented at such hearing the board
23 shall make its recommendations to the Federal Security
24 Administrator concerning the measures, if any, which it finds

1 to be reasonable and equitable to secure abatement of such
2 pollution.

3 (4) After affording the person or persons discharging
4 the matter causing or contributing to the pollution reasonable
5 opportunity to comply with the recommendations of the
6 board, the Federal Security Administrator may, with the
7 consent of the water pollution agency (or of any officer or
8 agency authorized to give such consent) of the State or
9 States in which the matter causing or contributing to the
10 pollution is discharged, request the Attorney General to
11 bring a suit on behalf of the United States to secure abate-
12 ment of the pollution.

13 (5) Before or after any suit authorized by paragraph
14 (4) is commenced, any person who is alleged to be dis-
15 charging matter contributing to the pollution, abatement of
16 which is sought, may, with the consent of the water pollution
17 agency (or of any officer or agency authorized to give such
18 consent) of the State in which such matter is discharged,
19 be joined as a defendant. The court shall have power to
20 enforce its judgment against any such defendant.

21 (6) In any suit brought pursuant to paragraph (4)
22 in which two or more persons in different judicial districts
23 are originally joined as defendants, the suit may be com-
24 menced in the judicial district in which any discharge caused
25 by any of the defendants occurs.

1 (7) The court shall receive in evidence in any such suit
2 a transcript of the proceedings before the board and a copy
3 of the board's recommendation; and may receive such further
4 evidence as the court in its discretion deems proper. The
5 court, giving due consideration to the practicability and to
6 the physical and economic feasibility of securing abatement
7 of any pollution proved, shall have jurisdiction to enter such
8 judgment, and orders enforcing such judgment, as the public
9 interest and the equities of the case may require.

10 (8) As used in this subsection the term "person" in-
11 cludes an individual, corporation, partnership, association,
12 a State, municipality, and a political subdivision of a State.

13 SEC. 3. The Surgeon General may, upon request of
14 any State water-pollution agency or interstate agency, con-
15 duct investigations and make surveys of any specific problem
16 of water pollution confronting any State, interstate agency,
17 community, municipality, or industrial plant, with a view to
18 recommending a solution of such problem.

19 SEC. 4. The Surgeon General shall prepare and publish,
20 from time to time, reports of such surveys, studies, investi-
21 gations, and experiments made under the authority of this
22 Act as he may consider desirable, together with appropriate
23 recommendations with regard to the control of water
24 pollution.

25 SEC. 5. The Federal Works Administrator is author-

1 ized, subject to the provisions of section 9 (c) , to make loans
2 to any State, municipality, or interstate agency for the
3 construction of necessary treatment works to prevent the
4 discharge by such State or municipality of untreated or in-
5 adequately treated sewage or other waste into the surface or
6 underground waters in or adjacent to any State, and for
7 the preparation (either by its engineering staff or by practic-
8 ing engineers employed for that purpose) of engineering
9 reports, plans, and specifications in connection therewith.
10 Such loans shall be subject, however, to the following limita-
11 tions: (a) No loan shall be made for any project unless such
12 project shall have been approved by the appropriate State
13 water pollution agency or agencies and by the Surgeon
14 General, and unless such project is included in a compre-
15 hensive program developed pursuant to this Act; (b) no
16 loan shall be made for any project in an amount exceeding
17 $33\frac{1}{3}$ per centum of the estimated reasonable cost thereof,
18 as determined by the Federal Works Administrator; (c)
19 every such loan shall bear interest at the rate of 2 per centum
20 per annum, payable semiannually; and (d) the bonds or
21 other obligations evidencing any such loan (1) must be
22 duly authorized and issued pursuant to State and local law,
23 and (2) may, as to the security thereof and the payment
24 of principal thereof and interest thereon, be subordinated
25 (to the extent deemed feasible and desirable by the Federal

1 Works Administrator for facilitating the financing of such
2 projects) to other bonds or obligations of the obligor issued
3 to finance such project or that may then be outstanding.

4 SEC. 6. The Federal Works Administrator is author-
5 ized, subject to the provisions of section 9 (c), to extend
6 Federal aid in the form of loans to industrial enterprises for
7 the construction of necessary treatment works and the prep-
8 aration of engineering reports, plans, and specifications in
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21 adequately secured and bear interest at the rate of 2 per
22 centum per annum, payable semiannually; and (d) each
23 loan may be for a period not exceeding ten years.

24 SEC. 7. (a) The Surgeon General and the Federal

1 Works Administrator, in carrying out their respective func-
2 tions under this Act, shall provide for the review of all reports
3 of examinations, investigations, plans, studies, and surveys,
4 made pursuant to the provisions of this Act, and all appli-
5 cations for loans under section 5 or 6. In determining the
6 desirability of projects for treatment works and of approving
7 loans in connection therewith, consideration shall be given to
8 the public benefits to be derived by the construction thereof,
9 the propriety of Federal aid in such construction, the relation
10 of the ultimate cost of constructing and maintaining the works
11 to the public interest and to the public necessity for the works,
12 and the adequacy of the provisions made or proposed by the
13 applicant for the loan for assuring proper and efficient opera-
14 tion and maintenance of the works after completion of the
15 construction thereof.

16 (b) There is hereby established in the Public Health
17 Service a Water Pollution Control Advisory Board to be
18 composed as follows: The Surgeon General or a sanitary
19 engineer officer designated by him, who shall be Chairman
20 of the Board, a representative of the Department of War,
21 a representative of the Department of the Interior, a repre-
22 sentative of the Federal Works Agency, and a representa-
23 tive of the Department of Agriculture, designated by the
24 Secretary of War, the Secretary of the Interior, the Federal
25 Works Administrator, and the Secretary of Agriculture,

1 respectively; and six persons (not officers or employees of
2 the Federal Government) to be appointed annually by the
3 President. One of the persons appointed by the President
4 shall be an engineer who is expert in sewage and industrial-
5 waste disposal, one shall be a person who shall have shown
6 an active interest in the field of wildlife conservation, and,
7 except as the President may determine that the purposes of
8 this Act will be better furthered by different representation,
9 one shall be a person representative of municipal govern-
10 ment, one shall be a person representative of State govern-
11 ment, and one shall be a person representative of affected
12 industry. The members of the Board who are not officers
13 or employees of the United States shall be entitled to receive
14 compensation at a per diem rate to be fixed by the Federal
15 Security Administrator, together with an allowance for
16 actual and necessary traveling and subsistence expenses while
17 engaged on the business of the Board. It shall be the duty
18 of the Board to review the policies and program of the
19 Public Health Service as undertaken under authority of
20 this Act and to make recommendations thereon in reports to
21 the Surgeon General. Such clerical and technical assistance
22 as may be necessary to discharge the duties of the Board shall
23 be provided from the personnel of the Public Health Service.

24 (e) There are authorized to be appropriated annually
25 to the Federal Security Agency such sums, not in excess

1 of \$100,000,000 for any fiscal year, as may be necessary for
2 loans under the provisions of sections 5 and 6 of this Act.
3 Sums so appropriated shall remain available until expended.

4 (d) There is hereby authorized to be appropriated to
5 the Federal Security Agency and the Federal Works Agency
6 for each fiscal year such sums as may be necessary to enable
7 them to carry out their respective functions under this Act.

8 SEC. 8. (a) There is hereby authorized to be appro-
9 priated to the Federal Security Agency for each fiscal year,
10 beginning with the fiscal year ending June 30, 1948, the
11 sum of \$5,000,000, to be allotted and paid to the States for
12 expenditure by or under the direction of their respective
13 State water pollution agencies, and to interstate agencies for
14 expenditure by them, for the conduct of investigations, sur-
15 veys, and studies related to the prevention and control of
16 water pollution. Sums appropriated pursuant to this sub-
17 section shall be allotted by the Surgeon General, in accord-
18 ance with regulations prescribed by the Federal Security
19 Administrator, and shall be paid prior to audit or settlement
20 by the General Accounting Office. The amount of any allot-
21 ment to any State or interstate agency for any fiscal year
22 remaining unexpended at the end of such fiscal year shall be
23 available for allotment hereunder for the succeeding fiscal
24 year, in addition to the amount appropriated for such year.

25 (b) There is hereby authorized to be appropriated to

1 the Federal Works Agency for each fiscal year, beginning
2 with the fiscal year ending June 30, 1948, a sum not to
3 exceed the sum of \$12,000,000 to enable the Federal Works
4 Administrator to make advances to States, municipalities, or
5 interstate agencies to aid in financing the cost of engineering,
6 architectural, and economic investigations and studies, sur-
7 veys, designs, plans, working drawings, specifications, pro-
8 cedures, and other action preliminary to the construction of
9 projects approved by the appropriate State water pollution
10 agency or agencies and by the Surgeon General. Any such
11 advances shall be repayable, without interest, upon the com-
12 mencement of construction of the project for which the
13 advance is made.

14 SEC. 9. (a) To assist in carrying out the purposes of
15 this Act, the appointment of engineer and scientist officers
16 may be made under the provisions of section 208 (b) (1) of
17 the Public Health Service Act, in addition to the appoint-
18 ments authorized by such section 208 (b) (1); but not
19 more than five such additional officers shall hold office at the
20 same time.

21 (b) The Federal Security Administrator, with the con-
22 sent of the head of any other agency of the Federal Govern-
23 ment, may utilize such officers and employees of such agency
24 as may be found necessary to assist in carrying out the pur-
25 poses of this Act.

1 (c) (1) Upon written requests of the Federal Works
2 Administrator, from time to time submitted to the Federal
3 Security Administrator, specifying (a) particular projects
4 approved by the Surgeon General, (b) the total estimated
5 costs of such projects, and (c) the total sum requested for
6 loans which the Federal Works Administrator proposes to
7 make for such projects, the Federal Security Administrator
8 shall transfer such total sum (within the amount appropri-
9 ated therefor) to the Federal Works Administrator for the
10 making of loans for such projects pursuant to sections 5 and
11 6 hereof. In making such loans, the Federal Works Ad-
12 ministrator shall adhere to the order or sequence of priority
13 for projects established by the Surgeon General and shall
14 take such measures as, in his judgment, will assure that the
15 engineering plans and specifications, the details of construc-
16 tion, and the completed treatment works conform to the
17 project as approved by the Surgeon General; and the Fed-
18 eral Works Administrator shall furnish written reports to
19 the Federal Security Administrator on the progress of the
20 work.

21 (2) The Federal Works Administrator is hereby au-
22 thorized (a) to hold, administer, exchange, refund, or sell at
23 public or private sale any bonds or other obligations evidenc-
24 ing loans made under this Act; and (b) to collect, or provide
25 for the collection of, interest on and principal of such bonds

1 or other obligations. All moneys received as proceeds from
2 such sales, and all moneys so collected, shall be covered into
3 the Treasury as miscellaneous receipts.

4 (d) The Surgeon General and the Federal Works Ad-
5 ministrator are each authorized to prescribe such regulations
6 as are necessary to carry out their respective functions under
7 this Act.

8 SEC. 10. When used in this Act—

9 (a) The term “State water pollution agency” means the
10 State health authority, except that, in the case of any State
11 in which there is a single State agency, other than the State
12 health authority, charged with responsibility for enforcing
13 State laws relating to the abatement of water pollution, it
14 means such other State agency;

15 (b) The term “interstate agency” means an agency of
16 two or more States having powers or duties pertaining to the
17 abatement of pollution of waters;

18 (c) The term “treatment works” means the various
19 devices used in the treatment of sewage or industrial waste of
20 a liquid nature, including the necessary intercepting sewers,
21 outfall sewers, pumping, power, and other equipment, and
22 their appurtenances, and includes any extensions, improve-
23 ments, remodeling, additions, and alterations thereof;

24 (d) The term “State” means a State, the District of

1 Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin
2 Islands;

3 (e) The term "interstate waters" means all rivers,
4 lakes, and other waters that flow across, or form a part
5 of, State boundaries; and

6 (f) The term "municipality" means a city, town, dis-
7 trict, or other public body created by or pursuant to State
8 law and having jurisdiction over disposal of sewage, indus-
9 trial wastes, or other wastes.

10 SEC. 11. This Act shall not be construed as (1) super-
11 seding or limiting the functions, under any other law, of the
12 Surgeon General or of the Public Health Service, or of any
13 other officer or agency of the United States, relating to water
14 pollution, or (2) affecting or impairing the provisions of the
15 Oil Pollution Act, 1924, or sections 13 through 17 of the Act
16 entitled "An Act making appropriations for the construction,
17 repair, and preservation of certain public works on rivers
18 and harbors, and for other purposes", approved March 3,
19 1899, as amended, or (3) affecting or impairing the pro-
20 visions of any treaty of the United States.

21 SEC. 12. If any provision of this Act, or the application
22 of any provision of this Act to any person or circumstance,
23 is held invalid, the application of such provision to other
24 persons or circumstances, and the remainder of this Act, shall
25 not be affected thereby.

1 SEC. 13. This Act may be cited as the “Water Pollution
2 Control Act”.

Passed the Senate July 16, 1947.

Attest: CARL A. LOEFFLER,
Secretary.

AN ACT

To provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes.

JULY 17, 1947

Referred to the Committee on Public Works

PROVIDING FOR WATER POLLUTION CONTROL ACTIVITIES IN
THE PUBLIC HEALTH SERVICE OF THE FEDERAL SECURITY
AGENCY AND IN THE FEDERAL WORKS AGENCY, AND FOR
OTHER PURPOSES

APRIL 28, 1948.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. DONDERO, from the Committee on Public Works, submitted the
following

R E P O R T

[To accompany S. 418]

The Committee on Public Works, to whom was referred the bill (S. 418) to provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes, having considered the same, report favorably thereon with amendment and recommend that the bill do pass.

The amendment is as follows:

Strike out all after the enacting clause and substitute therefore the following:

That in connection with the exercise of jurisdiction over the waterways of the Nation and in consequence of the benefits resulting to the public health and welfare by the abatement of stream pollution, it is hereby declared to be the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of the States in controlling water pollution, to support and aid technical research to devise and perfect methods of treatment of industrial wastes which are not susceptible to known effective methods of treatment, and to provide Federal technical services to State and interstate agencies and to industries, and financial aid to State and interstate agencies and to municipalities, in the formulation and execution of their stream pollution abatement programs. To this end, the Surgeon General of the Public Health Service (under the supervision and direction of the Federal Security Administrator) and the Federal Works Administrator shall have the responsibilities and authority relating to water pollution control vested in them respectively by this Act.

SEC. 2. (a) The Surgeon General shall, after careful investigation, and in cooperation with other Federal agencies, with State water pollution agencies and interstate agencies, and with the municipalities and industries involved, prepare or adopt comprehensive programs for eliminating or reducing the pollution of interstate waters and tributaries thereof hereinafter declared to be a public nuisance and improving the sanitary condition of such interstate waters and tributaries thereof. In the development of such comprehensive programs due regard

shall be given to the improvements which are necessary to conserve such waters for public water supplies, propagation of fish and aquatic life, recreational purposes, and agricultural, industrial, and other legitimate uses. For the purpose of this subsection the Surgeon General is authorized to make joint investigations with any such agencies of the condition of any waters in any State or States, and of the discharges of any sewage, industrial wastes, or substance which may deleteriously affect such waters.

(b) The Surgeon General shall encourage cooperative activities by the States for the prevention and abatement of water pollution; encourage the enactment of uniform State laws relating to water pollution; encourage compacts between States for the prevention and abatement of water pollution; collect and disseminate information relating to water pollution and the prevention and abatement thereof; support and aid technical research to devise and perfect methods of treatment of industrial wastes which are not susceptible to known effective methods of treatment; make available to State and interstate agencies, municipalities, industries, and individuals the results of surveys, studies, investigations, research, and experiments relating to water pollution and the prevention and abatement thereof conducted by the Surgeon General and by authorized cooperating agencies; and furnish such assistance to State agencies as may be authorized by law.

(c) The consent of the Congress is hereby given to two or more States to negotiate and enter into agreements or compacts, not in conflict with any law or treaty of the United States, for (1) cooperative effort and mutual assistance for the prevention and abatement of water pollution and the enforcement of their respective laws relating thereto, and (2) the establishment of such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts. No such agreement or compact shall be binding or obligatory upon any State a party thereto unless and until it has been approved by the Congress.

(d) (1) The pollution of interstate waters in or adjacent to any State or States (whether the matter causing or contributing to such pollution is discharged directly into such waters or reaches such waters after discharge into a tributary of such waters), which endangers the health or welfare of persons in a State other than that in which the discharge originates, is hereby declared to be a public nuisance and subject to abatement as herein provided.

(2) Whenever the Surgeon General, on the basis of reports, surveys, and studies, finds that any pollution declared to be a public nuisance by paragraph (1) of this subsection is occurring, he shall give formal notification thereof to the person or persons discharging any matter causing or contributing to such pollution and shall advise the water pollution agency or interstate agency of the State or States where such discharge or discharges originate of such notification. This notification may outline recommended remedial measures which are reasonable and equitable in that case and shall specify a reasonable time to secure abatement of the pollution. If action calculated to secure abatement of the pollution within the time specified is not commenced, this failure shall again be brought to the attention of the person or persons discharging the matter and of the water pollution agency or interstate agency of the State or States where such discharge or discharges originate. The notification to such agency may be accompanied by a recommendation that it initiate a suit to abate the pollution in a court of proper jurisdiction.

(3) If, within a reasonable time after the second notification by the Surgeon General, the person or persons discharging the matter fail to initiate action to abate the pollution or the State water pollution agency or interstate agency fails to initiate a suit to secure abatement, the Federal Security Administrator is authorized to call a public hearing, to be held in or near one or more of the places where the discharge or discharges causing or contributing to such pollution originate, before a board of five or more persons appointed by the Administrator, who may be officers or employees of the Federal Security Agency or of the water pollution agency or interstate agency of the State or States where such discharge or discharges originate (except that at least one of the members of the board shall be a representative of the water pollution agency of the State or States where such discharge or discharges originate and at least one shall be a representative of the Department of Commerce, and not less than a majority of the board shall be persons other than officers or employees of the Federal Security Agency). On the basis of the evidence presented at such hearing the board shall make its recommendations to the Federal Security Administrator concerning the measures, if any, which it finds to be reasonable and equitable to secure abatement of such pollution.

(4) After affording the person or persons discharging the matter causing or contributing to the pollution reasonable opportunity to comply with the recommendations of the board, the Federal Security Administrator may, with the consent of the water pollution agency (or of any officer or agency authorized to give such consent) of the State or States in which the matter causing or contributing to the pollution is discharged, request the Attorney General to bring a suit on behalf of the United States to secure abatement of the pollution.

(5) Before or after any suit authorized by paragraph (4) is commenced, any person who is alleged to be discharging matter contributing to the pollution, abatement of which is sought, may, with the consent of the water pollution agency (or of any officer or agency authorized to give such consent) of the State in which such matter is discharged, be joined as a defendant. The court shall have power to enforce its judgment against any such defendant.

(6) In any suit brought pursuant to paragraph (4) in which two or more persons in different judicial districts are originally joined as defendants, the suit may be commenced in the judicial district in which any discharge caused by any of the defendants occurs.

(7) The court shall receive in evidence in any such suit a transcript of the proceedings before the board and a copy of the board's recommendation; and may receive such further evidence as the court in its discretion deems proper. The court, giving due consideration to the practicability and to the physical and economic feasibility of securing abatement of any pollution proved, shall have jurisdiction to enter such judgment, and orders enforcing such judgment, as the public interest and the equities of the case may require. The jurisdiction of the Surgeon General, or any other agency which has jurisdiction pursuant to the provisions of this Act, shall not extend to any region or areas nor shall it affect the rights or jurisdiction of any public body where there are in effect provisions for sewerage disposal pursuant to agreement between the United States of America and any such public body by stipulation entered in the Supreme Court of the United States. While any such stipulation or modification thereof is in force and effect, no proceedings of any kind may be maintained by virtue of this Act against such public body or any public agency, corporation, or individual within its jurisdiction. Neither this provision nor any provision of this Act shall be construed to give to the Surgeon General or any other person or agency the right to intervene in the said proceedings wherein such stipulation was entered.

(8) As used in this subsection the term "person" includes an individual, corporation, partnership, association, a State, municipality, and a political subdivision of a State.

SEC. 3. The Surgeon General may, upon request of any State water-pollution agency or interstate agency, conduct investigations and research and make surveys concerning any specific problem of water pollution confronting any State, interstate agency, community, municipality, or industrial plant, with a view to recommending a solution of such problem.

SEC. 4. The Surgeon General shall prepare and publish, from time to time, reports of such surveys, studies, investigations, research, and experiments made under the authority of this Act as he may consider desirable, together with appropriate recommendations with regard to the control of water pollution.

SEC. 5. The Federal Works Administrator is authorized, subject to the provisions of section 9 (e), to make loans to any State, municipality, or interstate agency for the construction of necessary treatment works to prevent the discharge by such State or municipality of untreated or inadequately treated sewage or other waste into interstate waters or into a tributary of such waters, and for the preparation (either by its engineering staff or by practicing engineers employed for that purpose) of engineering reports, plans, and specifications in connection therewith. Such loans shall be subject, however, to the following limitations: (a) No loan shall be made for any project unless such project shall have been approved by the appropriate State water pollution agency or agencies and by the Surgeon General, and unless such project is included in a comprehensive program developed pursuant to this Act; (b) no loan shall be made for any project in an amount exceeding 33⅓ per centum of the estimated reasonable cost thereof, as determined by the Federal Works Administrator, or in an amount exceeding \$200,000, whichever amount is the smaller; (c) every such loan shall bear interest at the rate of 2 per centum per annum, payable semiannually; and (d) the bonds or other obligations evidencing any such loan (1) must be duly authorized and issued pursuant to State and local law, and (2) may, as to the security thereof and the payment of principal thereof and interest thereon, be subordinated (to the extent deemed feasible and desirable by the Federal Works Administrator

for facilitating the financing of such projects) to other bonds or obligations of the obligor issued to finance such project or that may then be outstanding.

SEC. 6. (a) The Surgeon General and the Federal Works Administrator, in carrying out their respective functions under this Act, shall provide for the review of all reports of examinations, research, investigations, plans, studies, and surveys, made pursuant to the provisions of this Act, and all applications for loans under section 5. In determining the desirability of projects for treatment works and of approving loans in connection therewith, consideration shall be given to the public benefits to be derived by the construction thereof, the propriety of Federal aid in such construction, the relation of the ultimate cost of constructing and maintaining the works to the public interest and to the public necessity for the works, and the adequacy of the provisions made or proposed by the applicant for the loan for assuring proper and efficient operation and maintenance of the works after completion of the construction thereof.

(9) There is hereby established in the Public Health Service a Water Pollution Control Advisory Board to be composed as follows: The Surgeon General or a sanitary engineer officer designated by him, who shall be Chairman of the Board, a representative of the Department of the Army, a representative of the Department of the Interior, a representative of the Federal Works Agency, and a representative of the Department of Agriculture, designated by the Secretary of the Army, the Secretary of the Interior, the Federal Works Administrator, and the Secretary of Agriculture, respectively; and six persons (not officers or employees of the Federal Government) to be appointed annually by the President. One of the persons appointed by the President shall be an engineer who is expert in sewage and industrial-waste disposal, one shall be a person who shall have shown an active interest in the field of wildlife conservation, and, except as the President may determine that the purposes of this Act will be better furthered by different representation, one shall be a person representative of municipal government, one shall be a person representative of State government, and one shall be a person representative of affected industry. The members of the Board who are not officers or employees of the United States shall be entitled to receive compensation at a per diem rate to be fixed by the Federal Security Administrator, together with an allowance for actual and necessary traveling and subsistence expenses while engaged on the business of the Board. It shall be the duty of the Board to review the policies and program of the Public Health Service as undertaken under authority of this Act and to make recommendations thereon in reports to the Surgeon General. Such clerical and technical assistance as may be necessary to discharge the duties of the Board shall be provided from the personnel of the Public Health Service.

SEC. 7. There is hereby authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, a sum not to exceed the sum of \$20,000,000 for the purpose of making loans under section 5 of this Act. Sums so appropriated shall remain available until expended.

SEC. 8. (a) There is hereby authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, the sum of \$1,000,000, to be allotted equitably and paid to the States for expenditure by or under the direction of their respective State water pollution agencies, and to interstate agencies for expenditure by them, for the conduct of investigations, research, surveys, and studies related to the prevention and control of water pollution caused by industrial wastes. Sums appropriated pursuant to this subsection shall remain available until expended, shall be allotted by the Surgeon General in accordance with regulations prescribed by the Federal Security Administrator, and shall be paid prior to audit or settlement by the General Accounting Office.

(b) There is hereby authorized to be appropriated to the Federal Works Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, a sum not to exceed \$800,000 to enable the Federal Works Administrator to erect and to furnish and to equip such buildings and facilities at Cincinnati, Ohio, as may be necessary for the use of the Public Health Service in connection with the research and study of pollution of interstate waters and the training of personnel in work related to the control of pollution of interstate waters. The amount authorized for this purpose shall include the cost of preparation of drawings and specifications, supervision of construction and other administrative expenses incident to the work: *Provided*, That the Federal Works Agency shall prepare the plans and specifications, make all necessary contracts and supervise construction. Sums appropriated pursuant to this authorization shall remain available until expended.

(c) There is hereby authorized to be appropriated to the Federal Works Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, a sum not to exceed the sum of \$1,000,000 to enable the Federal Works Administrator to make grants to States, municipalities, or interstate agencies to aid in financing the cost of engineering, architectural and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other action preliminary to the construction of projects approved by the appropriate State water-pollution agency or agencies and by the Surgeon General. Grants made under this subsection with respect to any project shall not exceed whichever of the following amounts is the smaller: (1) \$20,000, or (2) 33½ per centum of the estimated reasonable cost (as determined by the Federal Works Administrator) of the action preliminary to the construction of such project. Sums appropriated pursuant to this subsection shall remain available until expended.

(d) There is hereby authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, such sum (not to exceed the sum of \$2,000,000) as may be necessary to enable it to carry out its functions under this Act.

(e) There is hereby authorized to be appropriated to the Federal Works Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, such sum (not to exceed the sum of \$500,000) as may be necessary to enable it to carry out its functions under this Act.

SEC. 9. (a) To assist in carrying out the purposes of this Act, the appointment of engineer and scientist officers may be made under the provisions of section 208 (b) (1) of the Public Health Service Act, in addition to the appointments authorized by such section 208 (b) (1); but not more than five such additional officers shall hold office at the same time.

(b) The Federal Security Administrator, with the consent of the head of any other agency of the Federal Government, may utilize such officers and employees of such agency as may be found necessary to assist in carrying out the purposes of this Act.

(c) (1) Upon written requests of the Federal Works Administrator, from time to time submitted to the Federal Security Administrator, specifying (a) particular projects approved by the Surgeon General, (b) the total estimated costs of such projects, and (c) the total sum requested for loans which the Federal Works Administrator proposes to make for such projects, the Federal Security Administrator shall transfer such total sum (within the amount appropriated therefor) to the Federal Works Administrator for the making of loans for such projects pursuant to section 5 hereof. In making such loans, the Federal Works Administrator shall adhere to the order or sequence of priority for projects established by the Surgeon General and shall take such measures as, in his judgment, will assure that the engineering plans and specifications, the details of construction, and the completed treatment works conform to the project as approved by the Surgeon General; and the Federal Works Administrator shall furnish written reports to the Federal Security Administrator on the progress of the work.

(2) The Federal Works Administrator is hereby authorized (a) to hold, administer, exchange, refund, or sell at public or private sale any bonds or other obligations evidencing loans made under this Act; and (b) to collect, or provide for the collection of, interest on and principal of such bonds or other obligations. All moneys received as proceeds from such sales, and all moneys so collected, shall be covered into the Treasury as miscellaneous receipts.

(d) The Surgeon General and the Federal Works Administrator are each authorized to prescribe such regulations as are necessary to carry out their respective functions under this Act.

SEC. 10. When used in this Act—

(a) The term "State water pollution agency" means the State health authority, except that, in the case of any State in which there is a single State agency, other than the State health authority, charged with responsibility for enforcing State laws relating to the abatement of water pollution, it means such other State agency;

(b) The term "interstate agency" means an agency of two or more States having powers or duties pertaining to the abatement of pollution of waters;

(c) The term "treatment works" means the various devices used in the treatment of sewage or industrial waste of a liquid nature, including the necessary intercepting sewers, outfall sewers, pumping, power, and other equipment, and their appurtenances, and includes any extensions, improvements, remodeling, additions, and alterations thereof;

(d) The term "State" means a State, the District of Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin Islands;

(e) The term "interstate waters" means all rivers, lakes, and other waters that flow across, or form a part of, State boundaries; and

(f) The term "municipality" means a city, town, district, or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

SEC. 11. This Act shall not be construed as (1) superseding or limiting the functions, under any other law, of the Surgeon General or of the Public Health Service, or of any other officer or agency of the United States, relating to water pollution, or (2) affecting or impairing the provisions of the Oil Pollution Act, 1924, or sections 13 through 17 of the Act entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved March 3, 1899, as amended, or (3) affecting or impairing the provisions of any treaty of the United States.

SEC. 12. If any provision of this Act, or the application of any provision of this Act to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this Act, shall not be affected thereby.

SEC. 13. This Act may be cited as the "Water Pollution Control Act".

Passed the Senate July 16, 1947.

Attest:

CARL A. LOEFFLER,
Secretary.

POLICY OF CONGRESS

Section 1 declares it to be the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of the States in controlling water pollution; to support and aid technical research; to devise and perfect methods of treatment of industrial wastes which are not susceptible to known effective methods of treatment; and to provide Federal technical services to State and interstate agencies and to industries, and financial aid to State and interstate agencies and to municipalities.

DEVELOPMENT OF PROGRAMS

The Surgeon General, in cooperation with other Federal agencies, with State water pollution agencies and interstate agencies, and with the municipalities involved, will prepare or adopt comprehensive programs for eliminating or reducing the pollution of interstate waters and tributaries thereof declared to be a public nuisance and improving the sanitary condition of such interstate waters.

The Surgeon General is authorized to make joint investigations with any such agencies of the condition of any waters in any State or States, and of the discharges of any sewage, industrial wastes, or substance which may deleteriously affect such waters (sec. 2).

COOPERATION WITH STATES

The Surgeon General is to encourage cooperative activities by the States for the prevention and abatement of water pollution; encourage the enactment of uniform State laws relating to water pollution; encourage compacts between States for the prevention and abatement of water pollution; collect and disseminate information relating to water pollution and the prevention and abatement thereof; support and aid technical research to devise and perfect methods of treatment of industrial wastes which are not susceptible to known effective methods of treatment; make available to State and interstate agencies, municipalities, industries, and individuals the results of surveys, studies, investigations, research and experiments relating to water

pollution and the prevention and abatement thereof conducted by the Surgeon General and by authorized cooperating agencies (sec. 2(b)).

INTERSTATE COMPACTS

The consent of Congress is given to two or more States to negotiate and enter into agreements or compacts, but no such agreement or compact shall be binding upon any State a party thereto unless and until it has been approved by Congress (sec. 2(c)).

POLLUTION DECLARED PUBLIC NUISANCE

The pollution of interstate waters, which endangers the health or welfare of persons in a State other than that in which the discharge originates, is declared to be a public nuisance and subject to abatement (sec. 2(d) (1)).

Whenever the Surgeon General, on the basis of reports, surveys, and studies, finds that any pollution declared to be a public nuisance is occurring, he shall give formal notification thereof to the person or persons discharging any matter causing or contributing to such pollution and shall advise the water pollution agency or interstate agency of the State or States where such discharge or discharges originate of such notification. Further provisions with respect to the notification are set forth in section 2 (d) (2).

ACTION AFTER NOTIFICATION

Enforcement provisions, which may be taken after the aforesaid notification, are set forth in section 2 (d) (3), (4), (5), (6), and (7).

JURISDICTION OF THE SURGEON GENERAL

Section 2 (d) (7): The jurisdiction of the Surgeon General, or any other agency which has jurisdiction pursuant to the provisions of this act, shall not extend to any region or areas nor shall it affect the rights or jurisdiction of any public body where there are in effect provisions for sewerage disposal pursuant to agreement between the United States of America and any such public body by stipulation entered in the Supreme Court of the United States. While any such stipulation or modification thereof is in force and effect, no proceedings of any kind may be maintained by virtue of this act against such public body or any public agency, corporation, or individual within its jurisdiction. Neither this provision nor any provision of this act shall be construed to give the Surgeon General or any other person or agency the right to intervene in the said proceedings wherein such stipulation was entered.

Section 3: The Surgeon General may, upon request of any State water pollution agency or interstate agency, conduct investigations and make surveys concerning any specific problem of water pollution with a view to recommending a solution of such problem.

Section 4: The Surgeon General is authorized to prepare and publish, from time to time, reports of such surveys, studies, investigations, research, and experiments as he may consider desirable.

LOANS FOR TREATMENT WORKS

Section 5: The Federal Works Administrator is authorized to make loans to any State, municipality, or interstate agency for the construction of necessary treatment works to prevent the discharge by such State or municipality of untreated or inadequately treated sewage or other waste into interstate waters, and for preparation of engineering reports, plans, and specifications in connection therewith.

No loan shall be made unless the project shall have been approved by the appropriate State water pollution agency or agencies and by the Surgeon General and unless the project is included in a comprehensive program developed pursuant to the act.

No loan shall be in an amount in excess of $33\frac{1}{3}$ percent of the estimated reasonable cost thereof, or in an amount in excess of \$200,000, whichever amount is the smaller.

Loans shall bear interest at the rate of 2 percent.

The bonds or other obligations evidencing the loan must be duly authorized and issued pursuant to State and local law, and meet certain other requirements set forth in section 5.

APPLICATIONS FOR LOANS

Section 6 (a) provides that the Surgeon General and the Federal Works Administrator shall provide for the review of all reports of examinations, research, investigations, plans, studies, and surveys, and all applications for loans. In determining the desirability of projects and the approval of loans, it is provided that consideration shall be given to public benefits to be derived therefrom, the propriety of Federal aid in such construction, the relation of the public cost to the public necessity, and the adequacy of the provisions made by the applicant for assuring efficient operation and maintenance of the projects after completion.

WATER POLLUTION CONTROL ADVISORY BOARD

Section 6 (b) establishes in the Public Health Service a Water Pollution Control Advisory Board composed of the Surgeon General or a sanitary engineer officer designated by him, who shall be chairman, a representative of the Department of the Army, a representative of the Department of the Interior, one from the Federal Works Agency, and a representative of the Department of Agriculture, designated by the Secretary of the Army, the Secretary of the Interior, the Federal Works Administrator, and the Secretary of Agriculture, respectively; and six persons (not officers or employees of the Federal Government) to be appointed by the President. One of the persons appointed by the President shall be an engineer who is expert in sewage and industrial waste disposal, one shall be a person who shall have shown an active interest in the field of wildlife conservation, and, unless the President determines otherwise, one shall be representative of municipal government, one a representative of State government, and one a representative of affected industry. The members of the Board who are not officers or employees of the United States, shall be entitled to compensation at a per diem rate fixed by the Federal Security Administrator, together with traveling and subsistence expenses while engaged in the business of the Board. The Board shall review the policies of

the Public Health Service and make recommendations thereon in reports to the Surgeon General. Clerical and technical assistance necessary to the duties of the Board shall be provided from the personnel of the Public Health Service.

AMOUNT AUTHORIZED FOR LOANS

Section 7 authorizes to be appropriated to the Federal Security Agency for each of the five fiscal years between July 1, 1948, and June 30, 1953, a sum not to exceed \$20,000,000 for the purpose of making loans under section 5 of this act; sums so appropriated to remain available until expended.

FEDERAL GRANTS FOR INVESTIGATIONS

Section 8 (a) authorizes to be appropriated to the Federal Security Agency for each of the five fiscal years from July 1, 1948, to June 30, 1953, the sum of \$1,000,000 to be allotted equitably and paid to the States for expenditure by or under the direction of their respective State water pollution agencies, and to interstate agencies for expenditure by them, for the conduct of investigations, research, surveys, and studies related to the prevention and control of water pollution caused by industrial wastes. Sums appropriated shall remain available until expended, shall be allotted by the Surgeon General in accordance with regulations prescribed by the Federal Security Administrator, and shall be paid prior to audit or settlement by the General Accounting Office.

LABORATORY AT CINCINNATI, OHIO

Section 8 (b) authorizes to be appropriated to the Federal Works Agency for each of the five fiscal years from July 1, 1948, to June 30, 1953, a sum not to exceed \$800,000 to enable the Federal Works Administrator to erect, furnish, and equip such buildings and facilities at Cincinnati, Ohio, as may be necessary for the use of the Public Health Service in connection with the research and study of pollution of interstate waters and the training of personnel in work related to the control of pollution of such waters.

GRANTS TO STATES, MUNICIPALITIES, AND INTERSTATE AGENCIES

Section 8 (c) authorizes to be appropriated to the Federal Works Agency for each of the next five fiscal years a sum not to exceed \$1,000,000 to enable him to make grants to States, municipalities, or interstate agencies to aid in the cost of making the necessary surveys, etc., preliminary to the construction of projects approved by the appropriate State water-pollution agencies and by the Surgeon General; such grants, with respect to any project, shall not exceed \$20,000, or 33⅓ percent of the estimated cost of the action preliminary to the construction of the project. Sums appropriated under this subsection shall remain available until expended.

ADMINISTRATION EXPENSES

Section 8 (d) authorizes to be appropriated to the Federal Security Agency for each of the next five fiscal years not to exceed the sum of \$2,000,000 to enable it to carry out its functions under this act.

Section 8 (e) authorizes to be appropriated to the Federal Works Agency for each of the next five fiscal years not to exceed \$500,000 to enable it to carry out its functions under this act.

ENGINEER AND OTHER OFFICERS

Section 9 (a) provides that the appointment of engineer and scientist officers may be under provisions of section 208 (b) (1) of the Public Health Service Act, in addition to the appointments authorized by said section, but not more than five such additional officers shall hold office at the same time.

Section 9 (b) provides that the Federal Security Administrator, with the consent of the head of any other Federal agency, may utilize such officers and employees of such agency as may be found necessary to assist in carrying out the purposes of this act.

TRANSFER OF FUNDS

Section 9 (c) (1) provides that upon written requests of the Federal Works Administrator, submitted to the Federal Security Administrator, specifying particular projects approved by the Surgeon General, the costs of said projects, and the total sum requested for loans which the Federal Works Administrator proposes to make for such projects, the Federal Security Administrator shall transfer such total sum to the Federal Works Administrator for the making of loans for such projects pursuant to section 5 of the act; that, in the making of such loans, the Federal Works Administrator shall adhere to the order or sequence of priority for projects established by the Surgeon General and shall take such measures as, in his judgment, will assure that the engineering plans and specifications, the details of construction, and the completed treatment works conform to the project as approved by the Surgeon General; and the Federal Works Administrator shall furnish written reports to the Federal Security Administrator on the progress of the work.

BONDS AND OBLIGATIONS

Section 9 (c) (2) authorizes the Federal Works Administrator to hold, administer, exchange, refund, or sell at public or private sale any bonds or other obligations evidencing loans made under this act; and to collect, or provide for the collection of, interest on any principal of such obligations, and provides that all moneys received as proceeds from such sales shall be covered into the Treasury as miscellaneous receipts.

DEFINITION OF TERMS

Section 10 provides that the term "State water pollution agency" means the State health authority, or the State agency charged with the enforcement of pollution laws.

The term "interstate agency" means an agency of two or more States having such power.

The term "treatment works" means the various devices used in the treatment of sewage or industrial waste of a liquid nature, including the necessary intercepting sewers, outfall sewers, pumping, power, and other equipment, and their appurtenances, and includes any extensions, improvements, remodeling, additions, and alterations thereof.

The term "State" means a State, the District of Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin Islands.

The term "interstate waters" means all rivers, lakes, and other waters that flow across, or form a part of, State boundaries.

The term "municipality" means a city, town, district, or other public body created by State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

REFERENCE TO OTHER ACTS

Section 11 provides that this act shall not supersede or limit the functions, under any other law, of the Surgeon General or the Public Health Service, or of any other officer or agency of the United States, relating to water pollution; or affect or impair the provisions of the Oil Pollution Act of 1924, or sections 13 through 17 of the River and Harbor Act approved March 3, 1899, as amended; or affect or impair the provisions of any treaty of the United States.

Section 12 provides that if any provision of this act, or the application of any provision of this act to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this act, shall not be affected thereby.

TITLE OF THE ACT

Section 13 provides that this act may be cited as the "Water Pollution Control Act."

MAJOR CHANGES IN HOUSE BILL

1. Loans limited to States, municipalities, and interstate agencies for treatment works.

2. Loans limited to one-third of estimated cost of treatment works or \$200,000, whichever amount is the smaller.

3. Authority to make loans limited to \$20,000,000 for each of five fiscal years (July 1, 1948, to June 30, 1953).

4. Funds authorized up to \$1,000,000 for each of five fiscal years (July 1, 1948, to June 30, 1953) to be allocated to States on an equitable basis for investigation, research, surveys, and studies.

5. Grants authorized up to \$1,000,000 for each of 5 years (July 1, 1948, to June 30, 1953) to States, municipalities, or interstate agencies, for engineering and planning.

6. Research in water-pollution control is encouraged by provisions above-mentioned and authorization of a laboratory at Cincinnati, Ohio, to house the work there established in 1913.

7. Language of bill more definitely confines provisions to interstate streams.

8. All authorizations of loans, grants, and administrative funds are limited to five fiscal years (July 1, 1948, to June 30, 1953).

9. No loans or grants authorized to private industries.

COMPARISON OF BILLS

The matter set forth below shows the difference between the text of the bill as it passed the Senate and the text of the committee amendment. Matter in roman type is contained in both the bill as it passed the Senate and in the committee amendment. Matter enclosed in black brackets was contained in the bill as it passed the Senate but not in the committee amendment. Matter in italic type is contained in the committee amendment but not in the bill as it passed the Senate.

AN ACT To provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in connection with the exercise of jurisdiction over the waterways of the Nation and in consequence of the benefits resulting to the public health and welfare by the abatement of stream pollution, it is hereby declared to be the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of the States in controlling water pollution, *to support and aid technical research to devise and perfect methods of treatment of industrial wastes which are not susceptible to known effective methods of treatment, and to provide Federal technical services to State and interstate agencies and to industries, and financial aid to State and interstate agencies and to [industries] municipalities, in the formulation and execution of their stream pollution abatement programs.* To this end, the Surgeon General of the Public Health Service (under the supervision and direction of the Federal Security Administrator) and the Federal Works Administrator shall have the responsibilities and authority relating to water pollution control vested in them respectively by this Act.

SEC. 2. (a) The Surgeon General shall, after careful investigation, and in cooperation with other Federal agencies, with State water pollution agencies and interstate agencies, and with the municipalities and industries involved, prepare or adopt comprehensive programs for eliminating or reducing the pollution of *interstate waters and tributaries thereof hereinafter declared to be a public nuisance and improving the sanitary condition of [the surface and underground waters in or adjacent to any State] such interstate waters and tributaries thereof.* In the development of such comprehensive programs due regard shall be given to the improvements which are necessary to conserve such waters for public water supplies propagation of fish and aquatic life, recreational purposes, and agricultural, industrial, and other legitimate [uses, and for this purpose] uses. *For the purpose of this subsection the Surgeon General is authorized to make joint investigations with any such agencies of the condition of any waters in any State or States, and of the discharges of any sewage, industrial wastes, or substance which may deleteriously affect such waters.*

(b) The Surgeon General shall encourage cooperative activities by the States for the prevention and abatement of water pollution; encourage the enactment of uniform State laws relating to water pollution; encourage compacts between States for the prevention and abatement of water pollution; collect and disseminate information relating to water pollution and the prevention and abatement thereof; *support and aid technical research to devise and perfect methods of treatment of industrial wastes which are not susceptible to known effective methods of treatment; make available to State and interstate agencies, municipalities, industries, and individuals the results of surveys, studies, investigations, research, and experiments relating to [such matters] water pollution and the prevention and abatement thereof* conducted by the Surgeon General and by authorized cooperating agencies, [public and private]; and furnish such assistance to State agencies as may be authorized by law.

(c) The consent of the Congress is hereby given to two or more States to negotiate and enter into agreements or compacts, not in conflict with any law or treaty of the United States, for (1) cooperative effort and mutual assistance for the prevention and abatement of water pollution and the enforcement of their respective laws relating thereto, and (2) the establishment of such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts. No such agreement or compact shall be binding or obligatory upon any State a party thereto unless and until it has been approved by the Congress.

(d) (1) The pollution of interstate waters in or adjacent to any State or States (whether the matter causing or contributing to such pollution is discharged directly into such waters or reaches such waters after discharge into a tributary of such waters), which endangers the health or welfare of persons in a State other than that in which the discharge originates, is hereby declared to be a public nuisance and subject to abatement as herein provided.

(2) Whenever the Surgeon General, on the basis of reports, surveys, and studies, finds that any pollution declared to be a public nuisance by paragraph (1) of this subsection is occurring, he shall give formal notification thereof to the person or persons discharging any matter causing or contributing to such pollution and shall advise the water pollution agency or interstate agency of the State or States where such discharge or discharges originate of such notification. This notification may outline recommended remedial measures which are reasonable and equitable in that case and shall specify a reasonable time to secure abatement of the pollution. If action calculated to secure abatement of the pollution within the time specified is not commenced, this failure shall again be brought to the attention of the person or persons discharging the matter and of the water pollution agency or interstate agency of the State or States where such discharge or discharges originate. The notification to such agency may be accompanied by a recommendation that it initiate a suit to abate the pollution in a court of proper jurisdiction.

(3) If, within a reasonable time after the second notification by the Surgeon General, the person or persons discharging the matter fail to initiate action to abate the pollution or the State water pollution agency or interstate agency fails to initiate a suit to secure abatement, the Federal Security Administrator is authorized to call a public hearing, to be held in or near one or more of the places where the discharge or discharges causing or contributing to such pollution originate, before a board of five or more persons appointed by the Administrator, who may be officers or employees of the Federal Security Agency or of the water pollution agency or interstate agency of the State or States where such discharge or discharges originate (except that at least one of the members of the board shall be a representative of the water pollution agency of the State or States where such discharge or discharges originate and at least one shall be a representative of the Department of Commerce, and not less than a majority of the board shall be persons other than officers or employees of the Federal Security Agency). On the basis of the evidence presented at such hearing the board shall make its recommendations to the Federal Security Administrator concerning the measures, if any, which it finds to be reasonable and equitable to secure abatement of such pollution.

(4) After affording the person or persons discharging the matter causing or contributing to the pollution reasonable opportunity to comply with the recommendations of the board, the Federal Security Administrator may, with the consent of the water pollution agency (or of any officer or agency authorized to give such consent) of the State or States in which the matter causing or contributing to the pollution is discharged, request the Attorney General to bring a suit on behalf of the United States to secure abatement of the pollution.

(5) Before or after any suit authorized by paragraph (4) is commenced, any person who is alleged to be discharging matter contributing to the pollution, abatement of which is sought, may, with the consent of the water pollution agency (or of any officer or agency authorized to give such consent) of the State in which such matter is discharged, be joined as a defendant. The court shall have power to enforce its judgment against any such defendant.

(6) In any suit brought pursuant to paragraph (4) in which two or more persons in different judicial districts are originally joined as defendants, the suit may be commenced in the judicial district in which any discharge caused by any of the defendants occurs.

(7) The court shall receive in evidence in any such suit a transcript of the proceedings before the board and a copy of the board's recommendation; and may receive such further evidence as the court in its discretion deems proper. The court, giving due consideration to the practicability and to the physical and economic feasibility of securing abatement of any pollution proved, shall have jurisdiction to enter such judgment, and orders enforcing such judgment, as the public interest and the equities of the case may require. *The jurisdiction of the Surgeon General, or any other agency which has jurisdiction pursuant to the provisions of this Act, shall not extend to any region or areas nor shall it affect the rights or jurisdiction of any public body where there are in effect provisions for sewerage disposal pursuant to agreement between the United States of America and any such public*

body by stipulation entered in the Supreme Court of the United States. While any such stipulation or modification thereof is in force and effect, no proceedings of any kind may be maintained by virtue of this Act against such public body or any public agency, corporation, or individual within its jurisdiction. Neither this provision nor any provision of this Act shall be construed to give to the Surgeon General or any other person or agency the right to intervene in the said proceedings wherein such stipulation was entered.

(8) As used in this subsection the term "person" includes an individual, corporation, partnership, association, a State, municipality, and a political subdivision of a State.

SEC. 3. The Surgeon General may, upon request of any State water-pollution agency or interstate agency, conduct investigations and research and make surveys [of] concerning any specific problem of water pollution confronting any State, interstate agency, community, municipality, or industrial plant, with a view to recommending a solution of such problem.

SEC. 4. The Surgeon General shall prepare and publish, from time to time, reports of such surveys, studies, investigations, research, and experiments made under the authority of this Act as he may consider desirable, together with appropriate recommendations with regard to the control of water pollution.

SEC. 5. The Federal Works Administrator is authorized, subject to the provisions of section 9 (c), to make loans to any State, municipality, or interstate agency for the construction of necessary treatment works to prevent the discharge by such State or municipality of untreated or inadequately treated sewage or other waste into [the surface or underground waters in or adjacent to any State] interstate waters or into a tributary of such waters, and for the preparation (either by its engineering staff or by practicing engineers employed for that purpose) of engineering reports, plans, and specifications in connection therewith. Such loans shall be subject, however, to the following limitations: (a) No loan shall be made for any project unless such project shall have been approved by the appropriate State water pollution agency or agencies and by the Surgeon General, and unless such project is included in a comprehensive program developed pursuant to this Act; (b) no loan shall be made for any project in an amount exceeding 33½ per centum of the estimated reasonable cost thereof, as determined by the Federal Works Administrator, or in an amount exceeding \$200,000, whichever amount is the smaller; (c) every such loan shall bear interest at the rate of 2 per centum per annum, payable semiannually; and (d) the bonds or other obligations evidencing any such loan (1) must be duly authorized and issued pursuant to State and local law, and (2) may, as to the security thereof and the payment of principal thereof and interest thereon, be subordinated (to the extent deemed feasible and desirable by the Federal Works Administrator for facilitating the financing of such projects) to other bonds or obligations of the obligor issued to finance such project or that may then be outstanding.

[SEC. 6. The Federal Works Administrator is authorized, subject to the provisions of section 9 (c), to extend Federal aid in the form of loans to industrial enterprises for the construction of necessary treatment works and the preparation of engineering reports, plans, and specifications in connection therewith, to prevent the discharge by such enterprises of untreated or inadequately treated sewage or other waste into the surface or underground waters in or adjacent to any State. Such loans shall be subject, however, to the following limitations: (a) No loan shall be made for any project unless such project shall have been approved by the appropriate State water pollution agency and by the Surgeon General, and is included in a comprehensive program developed pursuant to this Act; (b) no loan shall be made for any project in an amount exceeding 33½ per centum of the estimated reasonable cost thereof, as determined by the Federal Works Administrator; (c) each loan shall be fully and adequately secured and bear interest at the rate of 2 per centum per annum, payable, semiannually; and (d) each loan may be for a period not exceeding ten years.]

SEC. [7] 6. (a) The Surgeon General and the Federal Works Administrator, in carrying out their respective functions under this Act, shall provide for the review of all reports of examinations, research, investigations, plans, studies, and surveys, made pursuant to the provisions of this Act, and all applications for loans under section 5 [or 6]. In determining the desirability of projects for treatment works and of approving loans in connection therewith, consideration shall be given to the public benefits to be derived by the construction thereof, the propriety of Federal aid in such construction, the relation of the ultimate cost of constructing and maintaining the works to the public interest and to the public necessity for the works, and the adequacy of the provisions made or proposed by

the applicant for the loan for assuring proper and efficient operation and maintenance of the works after completion of the construction thereof.

(b) There is hereby established in the Public Health Service a Water Pollution Control Advisory Board to be composed as follows: The Surgeon General or a sanitary engineer officer designated by him, who shall be Chairman of the Board, a representative of the Department of **[War]** *the Army*, a representative of the Department of the Interior, a representative of the Federal Works Agency, and a representative of the Department of Agriculture, designated by the Secretary of **[War]** *the Army*, the Secretary of the Interior, the Federal Works Administrator, and the Secretary of Agriculture, respectively; and six persons (not officers or employees of the Federal Government) to be appointed annually by the President. One of the persons appointed by the President shall be an engineer who is expert in sewage and industrial-waste disposal, one shall be a person who shall have shown an active interest in the field of wildlife conservation, and, except as the President may determine that the purposes of this Act will be better furthered by different representation, one shall be a person representative of municipal government, one shall be a person representative of State government, and one shall be a person representative of affected industry. The members of the Board who are not officers or employees of the United States shall be entitled to receive compensation at a per diem rate to be fixed by the Federal Security Administrator, together with an allowance for actual and necessary traveling and subsistence expenses while engaged on the business of the Board. It shall be the duty of the Board to review the policies and program of the Public Health Service as undertaken under authority of this Act and to make recommendations thereon in reports to the Surgeon General. Such clerical and technical assistance as may be necessary to discharge the duties of the Board shall be provided from the personnel of the Public Health Service.

[(c)] There are authorized to be appropriated annually to the Federal Security Agency such sums, not in excess of \$100,000,000 for any fiscal year, as may be necessary for loans under the provisions of sections 5 and 6 of this Act. Sums so appropriated shall remain available until expended.

[(d)] There is hereby authorized to be appropriated to the Federal Security Agency and the Federal Works Agency for each fiscal year such sums as may be necessary to enable them to carry out their respective functions under this Act.]

Sec. 7. There is hereby authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, a sum not to exceed the sum of \$20,000,000 for the purpose of making loans under section 5 of this Act. Sums so appropriated shall remain available until expended.

Sec. 8. (a) There is hereby authorized to be appropriated to the Federal Security Agency for each **[fiscal year, beginning with the fiscal year ending June 30, 1948]** *of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, the sum of **[\$5,000,000]** \$1,000,000,* to be allotted equitably and paid to the States for expenditure by or under the direction of their respective State water pollution agencies, and to interstate agencies for expenditure by them for the conduct of investigations, research, surveys, and studies related to the prevention and control of water pollution caused by industrial wastes. Sums appropriated pursuant to this subsection shall remain available until expended, shall be allotted by the Surgeon **[General,]** *General* in accordance with regulations prescribed by the Federal Security Administrator, and shall be paid prior to audit or settlement by the General Accounting Office. **[The amount of any allotment to any State or interstate agency for any fiscal year remaining unexpended at the end of such fiscal year shall be available for allotment hereunder for the succeeding fiscal year, in addition to the amount appropriated for such year.]**

(b) There is hereby authorized to be appropriated to the Federal Works Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, a sum not to exceed \$800,000 to enable the Federal Works Administrator to erect and to furnish and to equip such buildings and facilities at Cincinnati, Ohio, as may be necessary for the use of the Public Health Service in connection with the research and study of pollution of interstate waters and the training of personnel in work related to the control of pollution of interstate waters. The amount authorized for this purpose shall include the cost of preparation of drawings and specifications, supervision of construction and other administrative expenses incident to the work: Provided, That the Federal Works Agency shall prepare the plans and specifications, make all necessary contracts and supervise construction. Sums appropriated pursuant to this authorization shall remain available until expended.

(c) There is hereby authorized to be appropriated to the Federal Works Agency for each *fiscal year, beginning with the fiscal year ending June 30, 1948, of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953,* a sum not to exceed the sum of *[\$12,000,000] \$1,000,000* to enable the Federal Works Administrator to make *[advances] grants* to States, municipalities, or interstate agencies to aid in financing the cost of engineering architectural, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other action preliminary to the construction of projects approved by the appropriate State water pollution agency or agencies and by the Surgeon General. *[Any such advances shall be repayable, without interest, upon the commencement of construction of the project for which the advance is made.] Grants made under this subsection with respect to any project shall not exceed whichever of the following amounts is the smaller: (1) \$20,000, or (2) 33⅓ per centum of the estimated reasonable cost (as determined by the Federal Works Administrator) of the action preliminary to the construction of such project. Sums appropriated pursuant to this subsection shall remain available until expended.*

(d) *There is hereby authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, such sum (not to exceed the sum of \$2,000,000) as may be necessary to enable it to carry out its functions under this Act.*

(e) *There is hereby authorized to be appropriated to the Federal Works Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, such sum (not to exceed the sum of \$500,000) as may be necessary to enable it to carry out its functions under this Act.*

SEC. 9. (a) To assist in carrying out the purposes of this Act, the appointment of engineer and scientist officers may be made under the provisions of section 208 (b) (1) of the Public Health Service Act, in addition to the appointments authorized by such section 208 (b) (1); but not more than five such additional officers shall hold office at the same time.

(b) The Federal Security Administrator, with the consent of the head of any other agency of the Federal Government, may utilize such officers and employees of such agency as may be found necessary to assist in carrying out the purposes of this Act.

(c) (1) Upon written requests of the Federal Works Administrator, from time to time submitted to the Federal Security Administrator, specifying (a) particular projects approved by the Surgeon General, (b) the total estimated costs of such projects, and (c) the total sum requested for loans which the Federal Works Administrator proposes to make for such projects, the Federal Security Administrator shall transfer such total sum (within the amount appropriated therefor) to the Federal Works Administrator for the making of loans for such projects pursuant to *[sections 5 and 6] section 5* hereof. In making such loans, the Federal Works Administrator shall adhere to the order or sequence of priority for projects established by the Surgeon General and shall take such measures as, in his judgment, will assure that the engineering plans and specifications, the details of construction, and the completed treatment works conform to the project as approved by the Surgeon General; and the Federal Works Administrator shall furnish written reports to the Federal Security Administrator on the progress of the work.

(2) The Federal Works Administrator is hereby authorized (a) to hold, administer, exchange, refund, or sell at public or private sale any bonds or other obligations evidencing loans made under this Act; and (b) to collect, or provide for the collection of, interest on and principal of such bonds or other obligations. All moneys received as proceeds from such sales, and all moneys so collected, shall be covered into the Treasury as miscellaneous receipts.

(d) The Surgeon General and the Federal Works Administrator are each authorized to prescribe such regulations as are necessary to carry out their respective functions under this Act.

SEC. 10. When used in this Act—

(a) The term "State water pollution agency" means the State health authority, except that, in the case of any State in which there is a single State agency, other than the State health authority, charged with responsibility for enforcing State laws relating to the abatement of water pollution, it means such other State agency;

(b) The term "interstate agency" means an agency of two or more States having powers or duties pertaining to the abatement of pollution of waters;

(c) The term "treatment works" means the various devices used in the treatment of sewage or industrial waste of a liquid nature, including the necessary intercepting sewers, outfall sewers, pumping, power, and other equipment, and their appurtenances, and includes any extensions, improvements, remodeling, additions, and alterations thereof;

(d) The term "State" means a State, the District of Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin Islands;

(e) The term "interstate waters" means all rivers, lakes, and other waters that flow across, or form a part of, State boundaries; and

(f) The term "municipality" means a city, town, district, or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

SEC. 11. This Act shall not be construed as (1) superseding or limiting the functions, under any other law, of the Surgeon General or of the Public Health Service, or of any other officer or agency of the United States, relating to water pollution, or (2) affecting or impairing the provisions of the Oil Pollution Act, 1924, or sections 13 through 17 of the Act entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved March 3, 1899, as amended, or (3) affecting or impairing the provisions of any treaty of the United States.

SEC. 12. If any provision of this Act, or the application of any provision of this Act to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this Act, shall not be affected thereby.

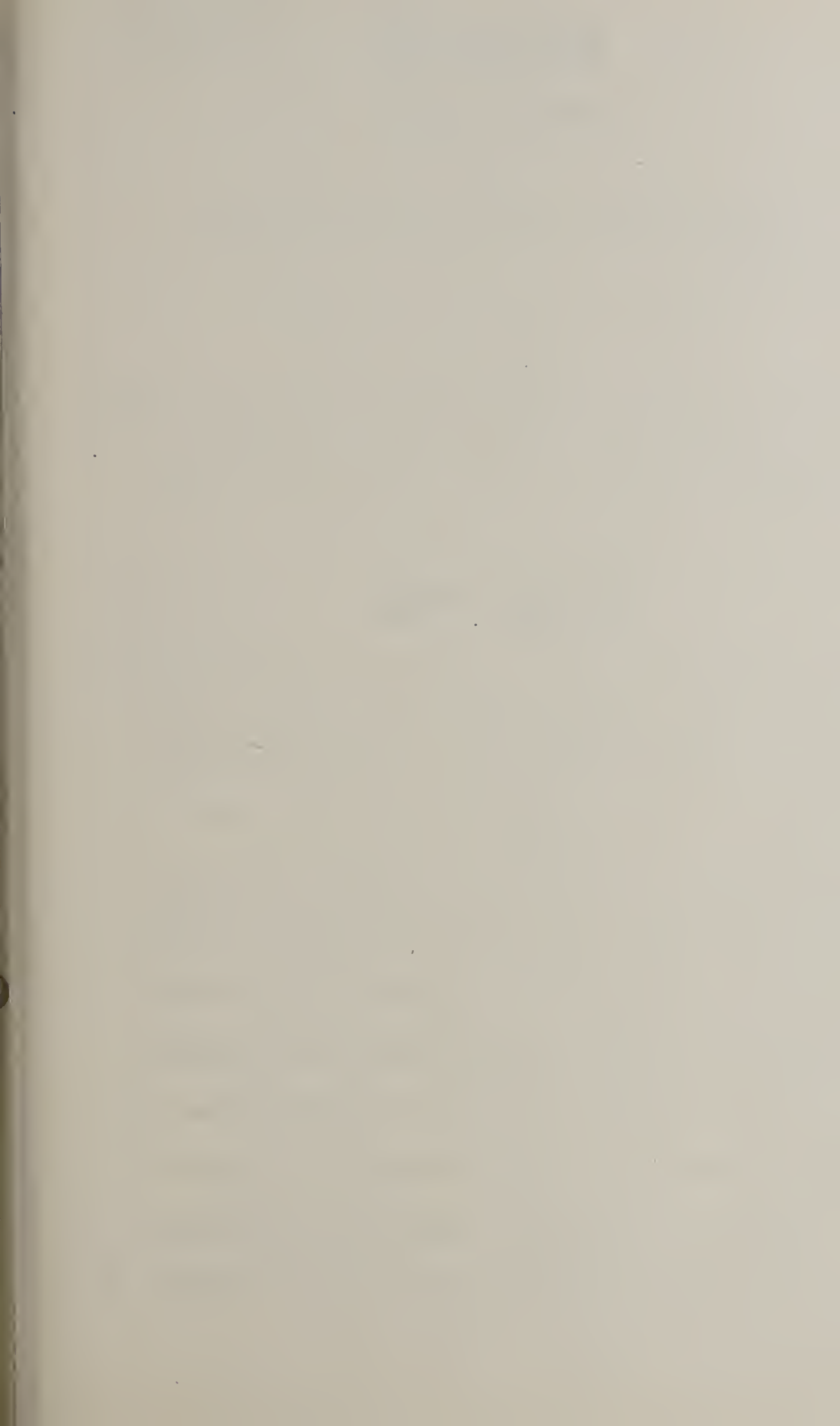
SEC. 13. This Act may be cited as the "Water Pollution Control Act".

Passed the Senate July 16, 1947.

Attest:

CARL A. LOEFFLER, *Secretary*.





Union Calendar No. 871

80TH CONGRESS
2D SESSION

S. 418

[Report No. 1829]

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 1947

Referred to the Committee on Public Works

APRIL 28, 1948

Reported with an amendment, committed to the Committee of the Whole House
on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 ~~That in connection with the exercise of jurisdiction over the~~
4 ~~waterways of the Nation and in consequence of the benefits~~
5 ~~resulting to the public health and welfare by the abatement~~
6 ~~of stream pollution, it is hereby declared to be the policy~~
7 ~~of Congress to recognize, preserve, and protect the primary~~
8 ~~responsibilities and rights of the States in controlling water~~
9 ~~pollution, and to provide Federal technical services and~~

1 financial aid to State and interstate agencies and to industries
2 in the formulation and execution of their stream pollution
3 abatement programs. To this end, the Surgeon General of
4 the Public Health Service (under the supervision and direc-
5 tion of the Federal Security Administrator) and the Federal
6 Works Administrator shall have the responsibilities and
7 authority relating to water pollution control vested in them
8 respectively by this Act.

9 SEC. 2. (a) The Surgeon General shall, after careful
10 investigation, and in cooperation with other Federal agencies,
11 with State water pollution agencies and interstate agencies,
12 and with the municipalities and industries involved, prepare
13 or adopt comprehensive programs for eliminating or reduc-
14 ing the pollution and improving the sanitary condition of
15 the surface and underground waters in or adjacent to any
16 State. In the development of such comprehensive programs
17 due regard shall be given to the improvements which are
18 necessary to conserve such waters for public water supplies,
19 propagation of fish and aquatic life, recreational purposes,
20 and agricultural, industrial, and other legitimate uses, and
21 for this purpose the Surgeon General is authorized to make
22 joint investigations with any such agencies of the condition
23 of any waters in any State or States, and of the discharges
24 of any sewage, industrial wastes, or substance which may
25 deleteriously affect such waters.

1 (b) The Surgeon General shall encourage cooperative
2 activities by the States for the prevention and abatement of
3 water pollution; encourage the enactment of uniform State
4 laws relating to water pollution; encourage compacts between
5 States for the prevention and abatement of water pollution;
6 collect and disseminate information relating to water pollution
7 and the prevention and abatement thereof; make available to
8 State and interstate agencies, municipalities, industries, and
9 individuals the results of surveys, studies, investigations, and
10 experiments relating to such matters conducted by the Sur-
11 geon General and by cooperating agencies, public and pri-
12 vate; and furnish such assistance to State agencies as may
13 be authorized by law.

14 (c) The consent of the Congress is hereby given to two
15 or more States to negotiate and enter into agreements or com-
16 pacts, not in conflict with any law or treaty of the United
17 States, for (1) cooperative effort and mutual assistance for
18 the prevention and abatement of water pollution and the
19 enforcement of their respective laws relating thereto, and
20 (2) the establishment of such agencies, joint or otherwise,
21 as they may deem desirable for making effective such
22 agreements and compacts. No such agreement or compact
23 shall be binding or obligatory upon any State a party
24 thereto unless and until it has been approved by the Congress.

25 (d) (1) The pollution of interstate waters in or ad-

1 jacent to any State or States (whether the matter causing or
2 contributing to such pollution is discharged directly into
3 such waters or reaches such waters after discharge into a
4 tributary of such waters), which endangers the health or
5 welfare of persons in a State other than that in which the
6 discharge originates, is hereby declared to be a public
7 nuisance and subject to abatement as herein provided.

8 ~~(2)~~ Whenever the Surgeon General, on the basis of
9 reports, surveys, and studies, finds that any pollution de-
10 clared to be a public nuisance by paragraph ~~(1)~~ of this sub-
11 section is occurring, he shall give formal notification thereof
12 to the person or persons discharging any matter causing or
13 contributing to such pollution and shall advise the water
14 pollution agency or interstate agency of the State or States
15 where such discharge or discharges originate of such
16 notification. This notification may outline recommended
17 remedial measures which are reasonable and equitable in that
18 case and shall specify a reasonable time to secure abatement
19 of the pollution. If action calculated to secure abatement of
20 the pollution within the time specified is not commenced, this
21 failure shall again be brought to the attention of the person
22 or persons discharging the matter and of the water pollution
23 agency or interstate agency of the State or States where such
24 discharge or discharges originate. The notification to such
25 agency may be accompanied by a recommendation that it

1 initiate a suit to abate the pollution in a court of proper
2 jurisdiction.

3 (3) If, within a reasonable time after the second
4 notification by the Surgeon General, the person or persons
5 discharging the matter fail to initiate action to abate the
6 pollution or the State water pollution agency or interstate
7 agency fails to initiate a suit to secure abatement, the Federal
8 Security Administrator is authorized to call a public hearing,
9 to be held in or near one or more of the places where the dis-
10 charge or discharges causing or contributing to such pollution
11 originate, before a board of five or more persons appointed by
12 the Administrator, who may be officers or employees of the
13 Federal Security Agency or of the water pollution agency or
14 interstate agency of the State or States where such discharge
15 or discharges originate (except that at least one of the mem-
16 bers of the board shall be a representative of the water
17 pollution agency of the State or States where such discharge
18 or discharges originate and at least one shall be a repre-
19 sentative of the Department of Commerce, and not less
20 than a majority of the board shall be persons other than
21 officers or employees of the Federal Security Agency). On
22 the basis of the evidence presented at such hearing the board
23 shall make its recommendations to the Federal Security
24 Administrator concerning the measures, if any, which it finds

1 to be reasonable and equitable to secure abatement of such
2 pollution.

3 (4) After affording the person or persons discharging
4 the matter causing or contributing to the pollution reasonable
5 opportunity to comply with the recommendations of the
6 board, the Federal Security Administrator may, with the
7 consent of the water pollution agency (or of any officer or
8 agency authorized to give such consent) of the State or
9 States in which the matter causing or contributing to the
10 pollution is discharged, request the Attorney General to
11 bring a suit on behalf of the United States to secure abate-
12 ment of the pollution.

13 (5) Before or after any suit authorized by paragraph
14 (4) is commenced, any person who is alleged to be dis-
15 charging matter contributing to the pollution, abatement of
16 which is sought, may, with the consent of the water pollution
17 agency (or of any officer or agency authorized to give such
18 consent) of the State in which such matter is discharged,
19 be joined as a defendant. The court shall have power to
20 enforce its judgment against any such defendant.

21 (6) In any suit brought pursuant to paragraph (4)
22 in which two or more persons in different judicial districts
23 are originally joined as defendants, the suit may be com-
24 menced in the judicial district in which any discharge caused
25 by any of the defendants occurs.

1 ~~(7)~~ The court shall receive in evidence in any such suit
2 a transcript of the proceedings before the board and a copy
3 of the board's recommendations; and may receive such further
4 evidence as the court in its discretion deems proper. The
5 court, giving due consideration to the practicability and to
6 the physical and economic feasibility of securing abatement
7 of any pollution proved, shall have jurisdiction to enter such
8 judgment, and orders enforcing such judgment, as the public
9 interest and the equities of the case may require.

10 ~~(8)~~ As used in this subsection the term "person" in-
11 cludes an individual, corporation, partnership, association,
12 a State, municipality, and a political subdivision of a State.

13 SEC. 3. The Surgeon General may, upon request of
14 any State water-pollution agency or interstate agency, con-
15 duct investigations and make surveys of any specific problem
16 of water pollution confronting any State, interstate agency,
17 community, municipality, or industrial plant, with a view to
18 recommending a solution of such problem.

19 SEC. 4. The Surgeon General shall prepare and publish,
20 from time to time, reports of such surveys, studies, investi-
21 gations, and experiments made under the authority of this
22 Act as he may consider desirable, together with appropriate
23 recommendations with regard to the control of water
24 pollution.

25 SEC. 5. The Federal Works Administrator is author-

1 ized, subject to the provisions of section 9 (e), to make loans
2 to any State, municipality, or interstate agency for the
3 construction of necessary treatment works to prevent the
4 discharge by such State or municipality of untreated or in-
5 adequately treated sewage or other waste into the surface or
6 underground waters in or adjacent to any State, and for
7 the preparation (either by its engineering staff or by practic-
8 ing engineers employed for that purpose) of engineering
9 reports, plans, and specifications in connection therewith.
10 Such loans shall be subject, however, to the following limita-
11 tions: (a) No loan shall be made for any project unless such
12 project shall have been approved by the appropriate State
13 water pollution agency or agencies and by the Surgeon
14 General, and unless such project is included in a compre-
15 hensive program developed pursuant to this Act; (b) no
16 loan shall be made for any project in an amount exceeding
17 $33\frac{1}{3}$ per centum of the estimated reasonable cost thereof,
18 as determined by the Federal Works Administrator; (c)
19 every such loan shall bear interest at the rate of 2 per centum
20 per annum, payable semiannually; and (d) the bonds or
21 other obligations evidencing any such loan (1) must be
22 duly authorized and issued pursuant to State and local law,
23 and (2) may, as to the security thereof and the payment
24 of principal thereof and interest thereon, be subordinated
25 (to the extent deemed feasible and desirable by the Federal

1 Works Administrator for facilitating the financing of such
2 projects) to other bonds or obligations of the obligor issued
3 to finance such project or that may then be outstanding.

4 SEC. 6. The Federal Works Administrator is author-
5 ized, subject to the provisions of section 9 (e); to extend
6 Federal aid in the form of loans to industrial enterprises for
7 the construction of necessary treatment works and the prep-
8 aration of engineering reports, plans, and specifications in
9 connection therewith, to prevent the discharge by such enter-
10 prises of untreated or inadequately treated sewage or other
11 waste into the surface or underground waters in or adjacent
12 to any State. Such loans shall be subject, however, to the
13 following limitations: (a) No loan shall be made for any
14 project unless such project shall have been approved by the
15 appropriate State water pollution agency and by the Surgeon
16 General, and is included in a comprehensive program de-
17 veloped pursuant to this Act; (b) no loan shall be made for
18 any project in an amount exceeding $33\frac{1}{3}$ per centum of the
19 estimated reasonable cost thereof, as determined by the Fed-
20 eral Works Administrator; (c) each loan shall be fully and
21 adequately secured and bear interest at the rate of 2 per
22 centum per annum, payable semiannually; and (d) each
23 loan may be for a period not exceeding ten years.

24 SEC. 7. (a) The Surgeon General and the Federal

1 Works Administrator, in carrying out their respective func-
2 tions under this Act, shall provide for the review of all reports
3 of examinations, investigations, plans, studies, and surveys,
4 made pursuant to the provisions of this Act, and all appli-
5 cations for loans under section 5 or 6. In determining the
6 desirability of projects for treatment works and of approving
7 loans in connection therewith, consideration shall be given to
8 the public benefits to be derived by the construction thereof,
9 the propriety of Federal aid in such construction, the relation
10 of the ultimate cost of constructing and maintaining the works
11 to the public interest and to the public necessity for the works,
12 and the adequacy of the provisions made or proposed by the
13 applicant for the loan for assuring proper and efficient opera-
14 tion and maintenance of the works after completion of the
15 construction thereof.

16 (b) There is hereby established in the Public Health
17 Service a Water Pollution Control Advisory Board to be
18 composed as follows: The Surgeon General or a sanitary
19 engineer officer designated by him, who shall be Chairman
20 of the Board, a representative of the Department of War,
21 a representative of the Department of the Interior, a repre-
22 sentative of the Federal Works Agency, and a representa-
23 tive of the Department of Agriculture, designated by the
24 Secretary of War, the Secretary of the Interior, the Federal
25 Works Administrator, and the Secretary of Agriculture.

1 respectively; and six persons (not officers or employees of
2 the Federal Government) to be appointed annually by the
3 President. One of the persons appointed by the President
4 shall be an engineer who is expert in sewage and industrial-
5 waste disposal; one shall be a person who shall have shown
6 an active interest in the field of wildlife conservation; and,
7 except as the President may determine that the purposes of
8 this Act shall be better furthered by different representation;
9 one shall be a person representative of municipal govern-
10 ment; one shall be a person representative of State govern-
11 ment; and one shall be a person representative of affected
12 industry. The members of the Board who are not officers
13 or employees of the United States shall be entitled to receive
14 compensation at a per diem rate to be fixed by the Federal
15 Security Administrator, together with an allowance for
16 actual and necessary traveling and subsistence expenses while
17 engaged on the business of the Board. It shall be the duty
18 of the Board to review the policies and program of the
19 Public Health Service as undertaken under authority of
20 this Act and to make recommendations thereon in reports to
21 the Surgeon General. Such clerical and technical assistance
22 as may be necessary to discharge the duties of the Board shall
23 be provided from the personnel of the Public Health Service.

24 (e) There are authorized to be appropriated annually
25 to the Federal Security Agency such sums, not in excess

1 of \$100,000,000 for any fiscal year, as may be necessary for
2 loans under the provisions of sections 5 and 6 of this Act.
3 Sums so appropriated shall remain available until expended.

4 ~~(d)~~ There is hereby authorized to be appropriated to
5 the Federal Security Agency and the Federal Works Agency
6 for each fiscal year such sums as may be necessary to enable
7 them to carry out their respective functions under this Act.

8 SEC. 8. ~~(a)~~ There is hereby authorized to be appro-
9 priated to the Federal Security Agency for each fiscal year,
10 beginning with the fiscal year ending June 30, 1948, the
11 sum of \$5,000,000, to be allotted and paid to the States for
12 expenditure by or under the direction of their respective
13 State water pollution agencies, and to interstate agencies for
14 expenditure by them, for the conduct of investigations, sur-
15 veys, and studies related to the prevention and control of
16 water pollution. Sums appropriated pursuant to this sub-
17 section shall be allotted by the Surgeon General, in accord-
18 ance with regulations prescribed by the Federal Security
19 Administrator, and shall be paid prior to audit or settlement
20 by the General Accounting Office. The amount of any allot-
21 ment to any State or interstate agency for any fiscal year
22 remaining unexpended at the end of such fiscal year shall be
23 available for allotment hereunder for the succeeding fiscal
24 year, in addition to the amount appropriated for such year.

25 ~~(b)~~ There is hereby authorized to be appropriated to

1 the Federal Works Agency for each fiscal year, beginning
2 with the fiscal year ending June 30, 1948, a sum not to
3 exceed the sum of \$12,000,000 to enable the Federal Works
4 Administrator to make advances to States, municipalities, or
5 interstate agencies to aid in financing the cost of engineering,
6 architectural, and economic investigations and studies, sur-
7 veys, designs, plans, working drawings, specifications, pro-
8 cedures, and other action preliminary to the construction of
9 projects approved by the appropriate State water pollution
10 agency or agencies and by the Surgeon General. Any such
11 advances shall be repayable, without interest, upon the com-
12 mencement of construction of the project for which the
13 advance is made.

14 SEC. 9. (a) To assist in carrying out the purposes of
15 this Act, the appointment of engineer and scientist officers
16 may be made under the provisions of section 208 (b) (1) of
17 the Public Health Service Act, in addition to the appoint-
18 ments authorized by such section 208 (b) (1); but not
19 more than five such additional officers shall hold office at the
20 same time.

21 (b) The Federal Security Administrator, with the con-
22 sent of the head of any other agency of the Federal Govern-
23 ment, may utilize such officers and employees of such agency
24 as may be found necessary to assist in carrying out the pur-
25 poses of this Act.

1 ~~(c)~~ ~~(1)~~ Upon written requests of the Federal Works
2 Administrator, from time to time submitted to the Federal
3 Security Administrator, specifying ~~(a)~~ particular projects
4 approved by the Surgeon General, ~~(b)~~ the total estimated
5 costs of such projects, and ~~(c)~~ the total sum requested for
6 loans which the Federal Works Administrator proposes to
7 make for such projects, the Federal Security Administrator
8 shall transfer such total sum ~~(within the amount appropri-~~
9 ~~ated therefor)~~ to the Federal Works Administrator for the
10 making of loans for such projects pursuant to sections 5 and
11 6 hereof. In making such loans, the Federal Works Ad-
12 ministrator shall adhere to the order or sequence of priority
13 for projects established by the Surgeon General and shall
14 take such measures as, in his judgment, will assure that the
15 engineering plans and specifications, the details of construc-
16 tion, and the completed treatment works conform to the
17 project as approved by the Surgeon General; and the Fed-
18 eral Works Administrator shall furnish written reports to
19 the Federal Security Administrator on the progress of the
20 work.

21 ~~(2)~~ The Federal Works Administrator is hereby au-
22 thorized ~~(a)~~ to hold, administer, exchange, refund, or sell at
23 public or private sale any bonds or other obligations evidenc-
24 ing loans made under this Act; and ~~(b)~~ to collect, or provide
25 for the collection of, interest on and principal of such bonds

1 or other obligations. All moneys received as proceeds from
2 such sales, and all moneys so collected, shall be covered into
3 the Treasury as miscellaneous receipts.

4 (d) The Surgeon General and the Federal Works Ad-
5 ministrator are each authorized to prescribe such regulations
6 as are necessary to carry out their respective functions under
7 this Act.

8 SEC. 10. When used in this Act—

9 (a) The term "State water pollution agency" means the
10 State health authority, except that, in the case of any State
11 in which there is a single State agency, other than the State
12 health authority, charged with responsibility for enforcing
13 State laws relating to the abatement of water pollution, it
14 means such other State agency;

15 (b) The term "interstate agency" means an agency of
16 two or more States having powers or duties pertaining to the
17 abatement of pollution of waters;

18 (c) The term "treatment works" means the various
19 devices used in the treatment of sewage or industrial waste of
20 a liquid nature, including the necessary intercepting sewers,
21 outfall sewers, pumping, power, and other equipment, and
22 their appurtenances, and includes any extensions, improve-
23 ments, remodeling, additions, and alterations thereof;

24 (d) The term "State" means a State, the District of

1 Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin
2 Islands;

3 ~~(e)~~ The term "interstate waters" means all rivers,
4 lakes, and other waters that flow across, or form a part
5 of, State boundaries; and

6 ~~(f)~~ The term "municipality" means a city, town, dis-
7 trict, or other public body created by or pursuant to State
8 law and having jurisdiction over disposal of sewage, indus-
9 trial wastes, or other wastes.

10 SEC. 11. This Act shall not be construed as ~~(1)~~ super-
11 seding or limiting the functions, under any other law, of the
12 Surgeon General or of the Public Health Service, or of any
13 other officer or agency of the United States, relating to water
14 pollution, or ~~(2)~~ affecting or impairing the provisions of the
15 Oil Pollution Act, 1924, or sections 13 through 17 of the Act
16 entitled "An Act making appropriations for the construction,
17 repair, and preservation of certain public works on rivers
18 and harbors, and for other purposes", approved March 3,
19 1899, as amended, or ~~(3)~~ affecting or impairing the pro-
20 visions of any treaty of the United States.

21 SEC. 12. If any provision of this Act, or the application
22 of any provision of this Act to any person or circumstance,
23 is held invalid, the application of such provision to other
24 persons or circumstances, and the remainder of this Act, shall
25 not be affected thereby.

1 ~~SEC. 13.~~ This Act may be cited as the “Water Pollution
2 Control Act”.

3 *That in connection with the exercise of jurisdiction over the*
4 *waterways of the Nation and in consequence of the benefits*
5 *resulting to the public health and welfare by the abatement*
6 *of stream pollution, it is hereby declared to be the policy*
7 *of Congress to recognize, preserve, and protect the primary*
8 *responsibilities and rights of the States in controlling water*
9 *pollution, to support and aid technical research to devise*
10 *and perfect methods of treatment of industrial wastes which*
11 *are not susceptible to known effective methods of treatment,*
12 *and to provide Federal technical services to State and inter-*
13 *state agencies and to industries, and financial aid to State*
14 *and interstate agencies and to municipalities, in the formula-*
15 *tion and execution of their stream pollution abatement pro-*
16 *grams. To this end, the Surgeon General of the Public*
17 *Health Service (under the supervision and direction of the*
18 *Federal Security Administrator) and the Federal Works*
19 *Administrator shall have the responsibilities and authority*
20 *relating to water pollution control vested in them respectively*
21 *by this Act.*

22 SEC. 2. (a) The Surgeon General shall, after careful
23 investigation, and in cooperation with other Federal agencies,
24 with State water pollution agencies and interstate agencies,

1 and with the municipalities and industries involved, prepare
2 or adopt comprehensive programs for eliminating or reduc-
3 ing the pollution of interstate waters and tributaries thereof
4 hereinafter declared to be a public nuisance and improving
5 the sanitary condition of such interstate waters and tribu-
6 taries thereof. In the development of such comprehensive
7 programs due regard shall be given to the improvements
8 which are necessary to conserve such waters for public water
9 supplies, propagation of fish and aquatic life, recreational
10 purposes, and agricultural, industrial, and other legitimate
11 uses. For the purpose of this subsection the Surgeon Gen-
12 eral is authorized to make joint investigations with any such
13 agencies of the condition of any waters in any State or States,
14 and of the discharges of any sewage, industrial wastes, or
15 substance which may deleteriously affect such waters.

16 (b) The Surgeon General shall encourage cooperative
17 activities by the States for the prevention and abatement of
18 water pollution; encourage the enactment of uniform State
19 laws relating to water pollution; encourage compacts between
20 States for the prevention and abatement of water pollution;
21 collect and disseminate information relating to water pollution
22 and the prevention and abatement thereof; support and aid
23 technical research to devise and perfect methods of treatment
24 of industrial wastes which are not susceptible to known
25 effective methods of treatment; make available to State and

1 interstate agencies, municipalities, industries, and individuals
2 the results of surveys, studies, investigations, research, and
3 experiments relating to water pollution and the prevention
4 and abatement thereof conducted by the Surgeon General
5 and by authorized cooperating agencies; and furnish such
6 assistance to State agencies as may be authorized by law.

7 (c) The consent of the Congress is hereby given to two
8 or more States to negotiate and enter into agreements or com-
9 pacts, not in conflict with any law or treaty of the United
10 States, for (1) cooperative effort and mutual assistance for
11 the prevention and abatement of water pollution and the
12 enforcement of their respective laws relating thereto, and
13 (2) the establishment of such agencies, joint or otherwise,
14 as they may deem desirable for making effective such
15 agreements and compacts. No such agreement or compact
16 shall be binding or obligatory upon any State a party thereto
17 unless and until it has been approved by the Congress.

18 (d) (1) The pollution of interstate waters in or ad-
19 jacent to any State or States (whether the matter causing or
20 contributing to such pollution is discharged directly into
21 such waters or reaches such waters after discharge into a
22 tributary of such waters), which endangers the health or
23 welfare of persons in a State other than that in which the
24 discharge originates, is hereby declared to be a public
25 nuisance and subject to abatement as herein provided.

1 (2) Whenever the Surgeon General, on the basis of
2 reports, surveys, and studies, finds that any pollution de-
3 clared to be a public nuisance by paragraph (1) of this sub-
4 section is occurring, he shall give formal notification thereof
5 to the person or persons discharging any matter causing or
6 contributing to such pollution and shall advise the water
7 pollution agency or interstate agency of the State or States
8 where such discharge or discharges originate of such noti-
9 fication. This notification may outline recommended remedial
10 measures which are reasonable and equitable in that case
11 and shall specify a reasonable time to secure abatement of
12 the pollution. If action calculated to secure abatement of
13 the pollution within the time specified is not commenced, this
14 failure shall again be brought to the attention of the person
15 or persons discharging the matter and of the water pollution
16 agency or interstate agency of the State or States where such
17 discharge or discharges originate. The notification to such
18 agency may be accompanied by a recommendation that it
19 initiate a suit to abate the pollution in a court of proper
20 jurisdiction.

21 (3) If, within a reasonable time after the second noti-
22 fication by the Surgeon General, the person or persons
23 discharging the matter fail to initiate action to abate the
24 pollution or the State water pollution agency or interstate
25 agency fails to initiate a suit to secure abatement, the Federal

1 *Security Administrator is authorized to call a public hearing,*
2 *to be held in or near one or more of the places where the dis-*
3 *charge or discharges causing or contributing to such pollution*
4 *originate, before a board of five or more persons appointed by*
5 *the Administrator, who may be officers or employees of the*
6 *Federal Security Agency or of the water pollution agency or*
7 *interstate agency of the State or States where such discharge*
8 *or discharges originate (except that at least one of the mem-*
9 *bers of the board shall be a representative of the water*
10 *pollution agency of the State or States where such discharge*
11 *or discharges originate and at least one shall be a repre-*
12 *sentative of the Department of Commerce, and not less than*
13 *a majority of the board shall be persons other than officers*
14 *or employees of the Federal Security Agency). On the*
15 *basis of the evidence presented at such hearing the board*
16 *shall make its recommendations to the Federal Security*
17 *Administrator concerning the measures, if any, which it finds*
18 *to be reasonable and equitable to secure abatement of such*
19 *pollution.*

20 (4) *After affording the person or persons discharging*
21 *the matter causing or contributing to the pollution reasonable*
22 *opportunity to comply with the recommendations of the board,*
23 *the Federal Security Administrator may, with the consent*
24 *of the water pollution agency (or of any officer or agency*
25 *authorized to give such consent) of the State or States in*

1 *which the matter causing or contributing to the pollution is*
2 *discharged, request the Attorney General to bring a suit*
3 *on behalf of the United States to secure abatement of the*
4 *pollution.*

5 (5) *Before or after any suit authorized by paragraph*
6 *(4) is commenced, any person who is alleged to be dis-*
7 *charging matter contributing to the pollution, abatement of*
8 *which is sought, may, with the consent of the water pollution*
9 *agency (or of any officer or agency authorized to give such*
10 *consent) of the State in which such matter is discharged,*
11 *be joined as a defendant. The court shall have power to*
12 *enforce its judgment against any such defendant.*

13 (6) *In any suit brought pursuant to paragraph (4)*
14 *in which two or more persons in different judicial districts*
15 *are originally joined as defendants, the suit may be com-*
16 *menced in the judicial district in which any discharge caused*
17 *by any of the defendants occurs.*

18 (7) *The court shall receive in evidence in any such suit*
19 *a transcript of the proceedings before the board and a copy*
20 *of the board's recommendation; and may receive such further*
21 *evidence as the court in its discretion deems proper. The*
22 *court, giving due consideration to the practicability and to*
23 *the physical and economic feasibility of securing abatement*
24 *of any pollution proved, shall have jurisdiction to enter such*
25 *judgment, and orders enforcing such judgment, as the public*

1 interest and the equities of the case may require. The juris-
2 diction of the Surgeon General, or any other agency which
3 has jurisdiction pursuant to the provisions of this Act, shall
4 not extend to any region or areas nor shall it affect the rights
5 or jurisdiction of any public body where there are in effect
6 provisions for sewage disposal pursuant to agreement be-
7 tween the United States of America and any such public
8 body by stipulation entered in the Supreme Court of the
9 United States. While any such stipulation or modifica-
10 tion thereof is in force and effect, no proceedings of any
11 kind may be maintained by virtue of this Act against such
12 public body or any public agency, corporation, or individual
13 within its jurisdiction. Neither this provision nor any pro-
14 vision of this Act shall be construed to give to the Surgeon
15 General or any other person or agency the right to inter-
16 vene in the said proceedings wherein such stipulation was
17 entered.

18 (8) As used in this subsection the term "person" in-
19 cludes an individual, corporation, partnership, association,
20 a State, municipality, and a political subdivision of a State.

21 SEC. 3. The Surgeon General may, upon request of
22 any State water-pollution agency or interstate agency, con-
23 duct investigations and research and make surveys con-
24 cerning any specific problem of water pollution confronting
25 any State, interstate agency, community, municipality, or

1 industrial plant, with a view to recommending a solution of
2 such problem.

3 *SEC. 4. The Surgeon General shall prepare and publish,*
4 *from time to time, reports of such surveys, studies, investi-*
5 *gations, research, and experiments made under the authority*
6 *of this Act as he may consider desirable, together with*
7 *appropriate recommendations with regard to the control of*
8 *water pollution.*

9 *SEC. 5. The Federal Works Administrator is author-*
10 *ized, subject to the provisions of section 9 (c), to make loans*
11 *to any State, municipality, or interstate agency for the*
12 *construction of necessary treatment works to prevent the*
13 *discharge by such State or municipality of untreated or in-*
14 *adequately treated sewage or other waste into interstate waters*
15 *or into a tributary of such waters, and for the preparation*
16 *(either by its engineering staff or by practicing engineers*
17 *employed for that purpose) of engineering reports, plans,*
18 *and specifications in connection therewith. Such loans shall*
19 *be subject, however, to the following limitations: (a) No loan*
20 *shall be made for any project unless such project shall have*
21 *been approved by the appropriate State water pollution*
22 *agency or agencies and by the Surgeon General, and unless*
23 *such project is included in a comprehensive program de-*
24 *veloped pursuant to this Act; (b) no loan shall be made for*
25 *any project in an amount exceeding $33\frac{1}{3}$ per centum of the*

1 *estimated reasonable cost thereof, as determined by the*
2 *Federal Works Administrator, or in an amount exceeding*
3 *\$200,000, whichever amount is the smaller; (c) every such*
4 *loan shall bear interest at the rate of 2 per centum per*
5 *annum, payable semiannually; and (d) the bonds or other*
6 *obligations evidencing any such loan (1) must be duly author-*
7 *ized and issued pursuant to State and local law, and (2)*
8 *may, as to the security thereof and the payment of principal*
9 *thereof and interest thereon, be subordinated (to the extent*
10 *deemed feasible and desirable by the Federal Works Admin-*
11 *istrator for facilitating the financing of such projects) to*
12 *other bonds or obligations of the obligor issued to finance such*
13 *project or that may then be outstanding.*

14 *SEC. 6. (a) The Surgeon General and the Federal*
15 *Works Administrator, in carrying out their respective func-*
16 *tions under this Act, shall provide for the review of all reports*
17 *of examinations, research, investigations, plans, studies, and*
18 *surveys, made pursuant to the provisions of this Act and all*
19 *applications for loans under section 5. In determining the*
20 *desirability of projects for treatment works and of approving*
21 *loans in connection therewith, consideration shall be given to*
22 *the public benefits to be derived by the construction thereof,*
23 *the propriety of Federal aid in such construction, the relation*
24 *of the ultimate cost of constructing and maintaining the*
25 *works to the public interest and to the public necessity for*

1 *the works, and the adequacy of the provisions made or*
2 *proposed by the applicant for the loan for assuring proper*
3 *and efficient operation and maintenance of the works after*
4 *completion of the construction thereof.*

5 *(b) There is hereby established in the Public Health*
6 *Service a Water Pollution Control Advisory Board to be*
7 *composed as follows: The Surgeon General or a sanitary*
8 *engineer officer designated by him, who shall be Chairman*
9 *of the Board, a representative of the Department of the*
10 *Army, a representative of the Department of the Interior, a*
11 *representative of the Federal Works Agency, and a represent-*
12 *ative of the Department of Agriculture, designated by the*
13 *Secretary of the Army, the Secretary of the Interior, the*
14 *Federal Works Administrator, and the Secretary of Agricul-*
15 *ture, respectively; and six persons (not officers or employees*
16 *of the Federal Government) to be appointed annually by the*
17 *President. One of the persons appointed by the President*
18 *shall be an engineer who is expert in sewage and industrial-*
19 *waste disposal, one shall be a person who shall have shown*
20 *an active interest in the field of wildlife conservation, and,*
21 *except as the President may determine that the purposes of*
22 *this Act will be better furthered by different representation,*
23 *one shall be a person representative of municipal govern-*
24 *ment, one shall be a person representative of State govern-*
25 *ment, and one shall be a person representative of affected*

1 industry. The members of the Board who are not officers
2 or employees of the United States shall be entitled to receive
3 compensation at a per diem rate to be fixed by the Federal
4 Security Administrator, together with an allowance for
5 actual and necessary traveling and subsistence expenses while
6 engaged on the business of the Board. It shall be the duty
7 of the Board to review the policies and program of the
8 Public Health Service as undertaken under authority of
9 this Act and to make recommendations thereon in reports to
10 the Surgeon General. Such clerical and technical assistance
11 as may be necessary to discharge the duties of the Board shall
12 be provided from the personnel of the Public Health Service.

13 SEC. 7. There is hereby authorized to be appropriated
14 to the Federal Security Agency for each of the five fiscal
15 years during the period beginning July 1, 1948, and ending
16 June 30, 1953, a sum not to exceed the sum of \$20,000,000
17 for the purpose of making loans under section 5 of this Act.
18 Sums so appropriated shall remain available until expended.

19 SEC. 8. (a) There is hereby authorized to be appro-
20 priated to the Federal Security Agency for each of the five
21 fiscal years during the period beginning July 1, 1948, and
22 ending June 30, 1953, the sum of \$1,000,000, to be allotted
23 equitably and paid to the States for expenditure by or under
24 the direction of their respective State water pollution agen-
25 cies, and to interstate agencies for expenditure by them, for

1 the conduct of investigations, research, surveys, and studies
2 related to the prevention and control of water pollution
3 caused by industrial wastes. Sums appropriated pursuant
4 to this subsection shall remain available until expended, shall
5 be allotted by the Surgeon General in accordance with regu-
6 lations prescribed by the Federal Security Administrator,
7 and shall be paid prior to audit or settlement by the General
8 Accounting Office.

9 (b) There is hereby authorized to be appropriated to
10 the Federal Works Agency for each of the five fiscal years
11 during the period beginning July 1, 1948, and ending June
12 30, 1953, a sum not to exceed \$800,000 to enable the Fed-
13 eral Works Administrator to erect and to furnish and to
14 equip such buildings and facilities at Cincinnati, Ohio, as
15 may be necessary for the use of the Public Health Service
16 in connection with the research and study of pollution of
17 interstate waters and the training of personnel in work re-
18 lated to the control of pollution of interstate waters. The
19 amount authorized for this purpose shall include the cost of
20 preparation of drawings and specifications, supervision of
21 construction and other administrative expenses incident to
22 the work: Provided, That the Federal Works Agency shall
23 prepare the plans and specifications, make all necessary con-
24 tracts and supervise construction. Sums appropriated pur-

1 suant to this authorization shall remain available until
2 expended.

3 (c) There is hereby authorized to be appropriated to
4 the Federal Works Agency for each of the five fiscal years
5 during the period beginning July 1, 1948, and ending June
6 30, 1953, a sum not to exceed the sum of \$1,000,000 to
7 enable the Federal Works Administrator to make grants
8 to States, municipalities, or interstate agencies to aid in
9 financing the cost of engineering, architectural, and eco-
10 nomic investigations and studies, surveys, designs, plans,
11 working drawings, specifications, procedures, and other action
12 preliminary to the construction of projects approved by the
13 appropriate State water pollution agency or agencies and by
14 the Surgeon General. Grants made under this subsection
15 with respect to any project shall not exceed whichever of the
16 following amounts is the smaller: (1) \$20,000, or (2) $33\frac{1}{3}$
17 per centum of the estimated reasonable cost (as determined
18 by the Federal Works Administrator) of the action prelimi-
19 nary to the construction of such project. Sums appropriated
20 pursuant to this subsection shall remain available until
21 expended.

22 (d) There is hereby authorized to be appropriated to the
23 Federal Security Agency for each of the five fiscal years
24 during the period beginning July 1, 1948, and ending

1 June 30, 1953, such sum (not to exceed the sum of \$2,000,-
2 000) as may be necessary to enable it to carry out its func-
3 tions under this Act.

4 (e) There is hereby authorized to be appropriated to the
5 Federal Works Agency for each of the five fiscal years dur-
6 ing the period beginning July 1, 1948, and ending June 30,
7 1953, such sum (not to exceed the sum of \$500,000) as may
8 be necessary to enable it to carry out its functions under
9 this Act.

10 SEC. 9. (a) To assist in carrying out the purposes of
11 this Act, the appointment of engineer and scientist officers
12 may be made under the provisions of section 208 (b) (1) of
13 the Public Health Service Act, in addition to the appoint-
14 ments authorized by such section 208 (b) (1); but not
15 more than five such additional officers shall hold office at the
16 same time.

17 (b) The Federal Security Administrator, with the con-
18 sent of the head of any other agency of the Federal Govern-
19 ment, may utilize such officers and employees of such agency
20 as may be found necessary to assist in carrying out the pur-
21 poses of this Act.

22 (c) (1) Upon written request of the Federal Works
23 Administrator, from time to time submitted to the Federal
24 Security Administrator, specifying (a) particular projects
25 approved by the Surgeon General, (b) the total estimated

1 costs of such projects, and (c) the total sum requested for
2 loans which the Federal Works Administrator proposes to
3 make for such projects, the Federal Security Administrator
4 shall transfer such total sum (within the amount appropri-
5 ated therefor) to the Federal Works Administrator for the
6 making of loans for such projects pursuant to section 5
7 hereof. In making such loans, the Federal Works Admin-
8 istrator shall adhere to the order or sequence of priority for
9 projects established by the Surgeon General and shall take
10 such measures as, in his judgment, will assure that the engi-
11 neering plans and specifications, the details of construction, and
12 the completed treatment works conform to the project as
13 approved by the Surgeon General; and the Federal Works
14 Administrator shall furnish written reports to the Federal
15 Security Administrator on the progress of the work.

16 (2) The Federal Works Administrator is hereby au-
17 thorized (a) to hold, administer, exchange, refund, or sell at
18 public or private sale any bonds or other obligations evidenc-
19 ing loans made under this Act; and (b) to collect, or provide
20 for the collection of, interest on and principal of such bonds
21 or other obligations. All moneys received as proceeds from
22 such sales, and all moneys so collected, shall be covered into
23 the Treasury as miscellaneous receipts.

24 (d) The Surgeon General and the Federal Works Ad-
25 ministrator are each authorized to prescribe such regulations

1 as are necessary to carry out their respective functions under
2 this Act.

3 SEC. 10. When used in this Act—

4 (a) The term “State water pollution agency” means the
5 State health authority, except that, in the case of any State
6 in which there is a single State agency, other than the State
7 health authority, charged with responsibility for enforcing
8 State laws relating to the abatement of water pollution, it
9 means such other State agency;

10 (b) The term “interstate agency” means an agency of
11 two or more States having powers or duties pertaining to the
12 abatement of pollution of waters;

13 (c) The term “treatment works” means the various
14 devices used in the treatment of sewage or industrial waste of
15 a liquid nature, including the necessary intercepting sewers,
16 outfall sewers, pumping, power, and other equipment, and
17 their appurtenances, and includes any extensions, improve-
18 ments, remodeling, additions, and alterations thereof;

19 (d) The term “State” means a State, the District of
20 Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin
21 Islands;

22 (e) The term “interstate waters” means all rivers,
23 lakes, and other waters that flow across, or form a part
24 of, State boundaries; and

25 (f) The term “municipality” means a city, town, dis-

1 *strict, or other public body created by or pursuant to State*
2 *law and having jurisdiction over disposal of sewage, indus-*
3 *trial wastes, or other wastes.*

4 *SEC. 11. This Act shall not be construed as (1) super-*
5 *seding or limiting the functions, under any other law, of the*
6 *Surgeon General or of the Public Health Service, or of any*
7 *other officer or agency of the United States, relating to water*
8 *pollution, or (2) affecting or impairing the provisions of the*
9 *Oil Pollution Act, 1924, or sections 13 through 17 of the Act*
10 *entitled "An Act making appropriations for the construction,*
11 *repair, and preservation of certain public works on rivers*
12 *and harbors and for other purposes", approved March 3,*
13 *1899, as amended, or (3) affecting or impairing the pro-*
14 *visions of any treaty of the United States.*

15 *SEC. 12. If any provision of this Act, or the application*
16 *of any provision of this Act to any person or circumstance,*
17 *is held invalid, the application of such provision to other*
18 *persons or circumstances, and the remainder of this Act, shall*
19 *not be affected thereby.*

20 *SEC. 13. This Act may be cited as the "Water Pollution*
21 *Control Act".*

Passed the Senate July 16, 1947.

Attest:

CARL A. LOEFFLER,

Secretary.

80TH CONGRESS
2^D Session

S. 418

[Report No. 1829]

AN ACT

To provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes.

JULY 17, 1947

Referred to the Committee on Public Works

APRIL 28, 1948

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE

Division of Legislative Reports

(For Department staff only)

Issued

June 7, 1948

For actions of

June 4, 1948

50th-2nd, No. 101

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HIGHLIGHTS: House passed foreign-aid appropriation bill. House sent agricultural appropriation bill to conference. House Rules Committee cleared price-support bill. House committee reported Science Foundation bill. Senate committee reported bill to establish Government cafeterias corporation. Senate agreed to conference report on bill extending certain allocation and export-import controls. Senate committees approved bills to increase farm-tenant-loan interest rates, transfer alcohol plants to USDA, and authorize certain CCC sugar-producer claims.

HOUSE

1. FOREIGN-AID APPROPRIATIONS. Passed with amendments H. R. 6801, the 1949 foreign-aid Appropriation Bill (pp. 7335-86). The resolution providing for consideration of the bill was agreed to by a 329-22 vote (p. 7340).

Agreed to the following amendments:

- By Rep. Andersen, Minn., limiting the amount which may be spent for farm machinery from these appropriations to \$50,000,000 (pp. 7374-7).
- By Rep. Murray, Wis., providing that at least \$65,000,000 of these appropriations be spent for acquiring in the U. S. nonfat dry milk solids, by a 61-58 vote (p. 7381).
- Clarifying amendments by Reps. Taber and Judd (pp. 7380, 7384).

Rejected the following amendments:

- By Rep. Dirksen, Ill., to provide that the ERP funds be available for a year instead of 15 months, by a 113-148 vote (pp. 7363-71).
- By Rep. Celler, N. Y., prohibiting these funds from being provided to Britain, by a 12-145 vote (pp. 7377-80).
- By Rep. Hope, Kans., to amend the provision that none of the funds be used to purchase goods at more than the market price except those commodities in possession of CCC and which have been acquired under the Steagall amendment. The proposed amendment, which was defeated 59-69, would have made this exception applicable to "any price support or stabilization

program" which might take the place of the Steagall amendment. (p. 7381.)

Rejected a motion, by Rep. Cannon, Mo., to recommit the bill with instructions that it be reported with the Dirksen amendment (p. 7386).

2. AGRICULTURAL APPROPRIATION BILL. Agreed, 204-140, without amendment to H. Res. 624, providing for a conference on this bill, H. R. 5883. Reps. Dirksen, Plumley, Andersen, Horan, Phillips, Cannon, Sheppard, and Whitten were appointed conferees. (pp. 7328-33.) Senate conferees were appointed May 25.
3. FERTILIZER. Rep. Brown, Ga., discussed the provisions of H. R. 6659 (emergency-powers continuation) regarding fertilizer materials (p. 7328).
4. LEGISLATIVE APPROPRIATION BILL. House conferees were appointed on this bill, H. R. 6500 (p. 7331). Senate conferees were appointed June 3.
5. HEALTH. Received the conference report on S. J. Res. 98, providing for U. S. participation in the World Health Organization (p. 7335).
6. TREASURY-POST OFFICE APPROPRIATION BILL. Received the conference report on this bill, H. R. 5770 (pp. 7386-8). The conferees agreed to \$1,275,000 for Bureau of Federal Supply (House figure; Senate figure, \$1,310,000); agreed to the Senate amendment providing funds to increase the general supply fund, but reduced the Senate figure from \$3,000,000 to \$1,500,000. The provision on type-writer purchases was reported in disagreement.
7. ALASKA DEVELOPMENT. Received from FWA a proposed bill "to authorize a program of useful public works for the development of the Territory of Alaska"; to Public Lands Committee (p. 7392).
8. PERSONNEL. The Post Office and Civil Service Committee submitted a report on "organization functions and relative costs of personnel officers" (H. Rept. 2198)(p. 7392).
9. PRICE SUPPORTS. The Rules Committee reported a resolution for consideration of H. R. 6248, to continue and amend the price-support program (p. 7341).
10. DISPLACED PERSONS. The Rules Committee reported a resolution for consideration of H. R. 6396, to permit entry into the U. S. of displaced persons (p. 7392).
11. PUBLIC LANDS. The Public Lands Committee reported with amendment H. R. 5555, to amend the act of 1938 providing for purchase of public lands for home and other sites (H. Rept. 2212)(p. 7392).
12. SCIENCE FOUNDATION. The Interstate and Foreign Commerce Committee reported with amendments H.R. 6007, to create a National Science Foundation (H. Rept. 2223)(p. 7393).
13. TRAVEL. The Interstate and Foreign Commerce Committee reported without amendment H. R. 6136, to amend the act authorizing Interior to encourage travel in the U. S. (H. Rept. 2221)(p. 7393).
14. The Rules Committee reported a resolution for consideration of S. 418, to provide for WATER POLLUTION control (p. 7393).
15. INDIAN RELIEF. The Public Lands Committee reported without amendment H. R. 6660, to improve conditions among the Navajo Indians (H. Rept. 2212)(p. 7392).

CONSIDERATION OF S. 418

JUNE 4, 1948.—Referred to the House Calendar and ordered to be printed

Mr. ALLEN of Illinois, from the Committee on Rules, submitted the following

REPORT

[To accompany H. Res. 641]

The Committee on Rules, having had under consideration House Resolution 641, report the same to the House with the recommendation that the resolution do pass.

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15 for amendment under the five-minute rule. It shall be

1 in order to consider without the intervention of any point
2 of order the substitute committee amendment recommended
3 by the Committee on Public Works now in the bill, and such
4 substitute for the purpose of amendment shall be considered
5 under the five-minute rule as an original bill. At the con-
6 clusion of the reading of the bill for amendment, the Com-
7 mittee shall rise and report the same to the House with such
8 amendments as may have been adopted, and any member
9 may demand a separate vote in the House on any of the
10 amendments adopted in the Committee of the Whole to the
11 bill or committee substitute. The previous question shall
12 be considered as ordered on the bill and amendments thereto
13 to final passage without intervening motion except one motion
14 to recommit.

80TH CONGRESS
2D Session

H. RES. 641

[Report No. 2226]

RESOLUTION

Providing for the consideration of the bill (S. 418) to provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes.

By Mr. ALLEN of Illinois

JUNE 4, 1948

Referred to the House Calendar and ordered to be printed

Mr. BEALL: Committee on the District of Columbia. H. R. 6295. A bill to provide increased pensions for widows and children of deceased members and retired members of the Police Department and of the Fire Department of the District of Columbia; without amendment (Rept. No. 2217). Referred to the Committee of the Whole House on the State of the Union.

Mr. SIMPSON of Illinois: Committee on the District of Columbia. S. 612. An act to amend section 35 of chapter III of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia," as amended, and to repeal section 36 of said chapter III of said act, as amended, so as to permit certain additional investments; without amendment (Rept. No. 2218). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'HARA: Committee on the District of Columbia. S. 2406. An act to amend the act entitled "An act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes," approved July 2, 1940, as amended; without amendment (Rept. No. 2219). Referred to the Committee of the Whole House on the State of the Union.

Mr. BEALL: Committee on the District of Columbia. H. R. 5047. A bill to grant a cost-of-living increase in the salaries of the Metropolitan Police, the United States Park Police, the White House Police, and the members of the Fire Department of the District of Columbia; with amendments (Rept. No. 2220). Referred to the Committee of the Whole House on the State of the Union.

Mr. LEA: Committee on Interstate and Foreign Commerce. H. R. 6136. A bill to amend the act to encourage travel in the United States, approved July 19, 1940; without amendment (Rept. No. 2221). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIAMS: Committee on Post Office and Civil Service. H. R. 6695. A bill to amend the act of August 1, 1947, to authorize the creation of 10 professional and scientific positions in the headquarters and research stations of the National Advisory Committee for Aeronautics; without amendment (Rept. No. 2222). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOLVERTON: Committee on Interstate and Foreign Commerce. H. R. 6007. A bill to promote the progress of science; to advance the national health, prosperity, and welfare; to secure the national defense; and for other purposes; with amendments (Rept. No. 2223). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALLEN of Illinois: Committee on Rules. H. Res. 640. A resolution providing for the consideration of H. R. 6777, a bill to extend

the coverage of the old-age and survivors insurance system, to increase certain benefits payable under such system, and for other purposes; without amendment (Rept. No. 2225). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. H. Res. 641. A resolution providing for the consideration of S. 418, an act to provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes; without amendment (Rept. No. 2226). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. H. Res. 642. A resolution providing for the consideration of House Joint Resolution 363, a joint resolution providing for the ratification by Congress of a contract for the purchase of certain lands and mineral deposits by the United States from the Choctaw and Chickasaw Nations of Indians; without amendment (Rept. No. 2227). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. H. Res. 643. A resolution providing for the consideration of H. R. 4462, a bill authorizing the conveyance of certain lands in Park County, Wyo., to the State of Wyoming; without amendment (Rept. No. 2228). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WELCH: Committee on Public Lands. H. R. 5655. A bill confirming the claim of Juan Berrar to certain lands in the State of Louisiana, county of Attakapas, now parish of St. Martin, said claim being listed as No. B-690 in the report of the commissioners dated June 1811, so as to include sec. 2, T. 11, S. R. 6 E., Louisiana meridian, containing 139.62 acres; without amendment (Rept. No. 2203). Referred to the Committee of the Whole House.

Mr. WELCH: Committee on Public Lands. S. 1504. An act to amend the act entitled "An act for the confirmation of the title to the Saline Lands in Jackson County, State of Illinois, to D. H. Brush, and others," approved March 2, 1861 (12 Stat. 891), as amended by the act of November 29, 1944 (58 Stat. 1036); without amendment (Rept. No. 2204). Referred to the Committee of the Whole House.

Mr. BEALL: Committee on the District of Columbia. S. 2040. An act for the relief of the owners of certain properties abutting Eastern Avenue in the District of Columbia; with amendments (Rept. No. 2205). Referred to the Committee of the Whole House.

Mr. MILLER: Committee on the District of Columbia. H. R. 6327. A bill to provide for the issuance of a license to practice chiropractic in the District of Columbia to Samuel O. Burdette; without amendment (Rept. No. 2206). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. REED of New York:

H. R. 6814. A bill to extend capital-gains treatment to certain distributions under employees' trusts; to the Committee on Ways and Means.

By Mr. MEADE of Kentucky:

H. R. 6815. A bill relating to the eligibility for hospitalization and medical treatment of honorably discharged veterans of service in the armed forces of the United States in time of peace; to the Committee on Veterans' Affairs.

By Mr. WELCH:

H. R. 6816. A bill to authorize the United States to purchase undivided inherited interests held by individual Indians in trust or restricted lands, and for other purposes; to the Committee on Public Lands.

By Mr. WOLVERTON:

H. R. 6817. A bill to amend the Trading With the Enemy Act; to the Committee on Interstate and Foreign Commerce.

By Mr. REED of New York:

H. R. 6818. A bill to amend title X of the Social Security Act (relating to aid to the blind) so as to provide greater encouragement to blind recipients thereunder to become self-supporting; to the Committee on Ways and Means.

By Mr. O'HARA:

H. J. Res. 420. Joint resolution to authorize a sum not to exceed \$80,000,000 to provide adequate protection from flooding of the Minnesota River in the Minnesota River Valley; to the Committee on Public Works.

By Mr. D'EWART:

H. Res. 635. Resolution authorizing and directing the Public Lands Committee of the House of Representatives to study and investigate the granting of concessions within national parks; to the Committee on Rules.

By Mr. SUNDSTROM:

H. Res. 636. Resolution authorizing the Clerk of the House of Representatives to approve payment of gratuities during the recess of Congress; to the Committee on House Administration.

By Mr. DAWSON of Utah:

H. Res. 639. Resolution to authorize and direct the Public Lands Committee of the House of Representatives to study and investigate the granting of concessions in the national parks; to the Committee on Rules.

DIGEST OF CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE

Division of Legislative Reports
(For Department staff only)

Issued June 15, 1948
For actions of June 14, 1948
80th-2nd, No. 108

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		Trade, foreign.....22,38,40,47
		Water pollution.....3

HIGHLIGHTS: House and Senate agreed to conference report on agricultural appropriation bill and acted on amendments in disagreement; Senate asked for additional conference on amendment regarding salaries above classification rates. House passed bill to extend social security to certain FCA-agency employees. House passed water-pollution bill. House committee reported TEW housing bill. House Rules Committee cleared selective service bill. Senate made long-range farm program bill unfinished business. Senate passed bill extending Trade Agreements Act. Senate committee reported foreign aid appropriation bill. Senate passed Interior appropriation bill. Senate debated Government corporations appropriation bill. Senate received appropriations for foot-and-mouth disease research, forest flood damage, and golden nematode control. House committee cleared revised Federal pay bill.

HOUSE

1. **AGRICULTURAL APPROPRIATION BILL.** Agreed to the conference report on this bill, H. R. 5383 (p. 8263).

Concurred in the following Senate amendments: 12, regarding payments to States for research (p. 8264). 13, same subject (p. 8264). 15, meat inspection (p. 8264). 35, Sec. 32 funds (p. 8267). 41, RACC (p. 8267). 42, crop insurance (p. 8267). See Digest 106 for more detailed description of these amendments.

Insisted on disagreement to Senate amendment 1, regarding authority to hire persons at more than the regular classification rates (p. 8263).

On amendment 33, increasing the ACP authorization for the crop-year 1949 from \$225,000,000 to \$300,000,000: Rep. Dirksen moved that the House insist on disagreement to the amendment. Rep. Cannon offered a preferential motion that the House recede and concur. A motion by Rep. Dirksen, that the House recede from its disagreement, was then agreed to. The House then agreed, 191-179, to a motion by Rep. Dirksen that it concur in the amendment with an amendment to fix the amount at \$262,500,000. (pp. 8264-7.)

Later in the day the Senate agreed to the conference report (p. 8357).

The Senate concurred in the House amendment to the Senate amendment 33, regarding ACP (pp. 8357-8).

The same conferees were appointed for a further conference on amendment 1, regarding authorization to pay certain salaries above the regular rates (p. 8357).

2. SOCIAL SECURITY. Passed, 237-2, without amendment H. R. 6777, which would extend social security coverage to employees of production credit associations and national farm loan associations; to employment off the farm in drying, packing, packaging, and similar processing and handling of fruits and vegetables preparatory to marketing; and to employees of agricultural or horticultural organizations exempt from income tax under certain provisions of the Internal Revenue Code (pp. 8216-43).
3. WATER POLLUTION. Passed, 138-14, as reported S. 418, to provide for water-pollution control through the Public Health Service (pp. 8272-83).
4. HOUSING. The Banking and Currency Committee reported without amendment H. R. 6888, which includes the provisions for farm-housing loans and housing research (H. Rept. 2340)(p. 8304).
5. SELECTIVE SERVICE. The Rules Committee reported a resolution for consideration of H. R. 6401, the selective-service bill (p. 8304).
6. FEDERAL PAY BILL. The "Daily Digest" states: "Committee on Post Office and Civil Service instructed chairman to introduced H. R. 6917, to provide for a \$360-a-year temporary increase for Federal...employees" (p. D649). See Item 28.
7. TREASURY-POST OFFICE SUPPLEMENTAL APPROPRIATION BILL. Concurred in the Senate amendments to this bill, H. R. 6758 (p. 8214). This bill will now be sent to the President.
8. RECLAMATION. The Public Lands Committee reported without amendment S. 2286, to provide for nonreimbursable allocations on the Carlsbad project (H. Rept. 2336)(p. 8304).
9. FOREIGN AID. Reps. Rayburn and Halleck discussed the possibility of considering S. 2376, to provide for a revolving fund for purchase of agricultural commodities to be processed in occupied areas and sold (p. 8243).
10. FEDERAL PAY BILL. Reps. Rayburn and Halleck discussed the legislative situation regarding this matter (p. 8243).

SENATE

11. DISPLACED PERSONS. Sens. Donnell (Mo.) and Eastland (Miss.) were appointed additional conferees on S. 2242, to authorize the admission into the U.S. of displaced persons (p. 8354).
12. LOANS. The Subcommittee of the Labor and Public Welfare Committee agreed to report to the full committee, with amendments, S. 2790, to provide a secondary market for veterans' home loans (p. D647).
13. BUILDINGS AND GROUNDS. The Expenditures in the Executive Departments Committee submitted a report on "Survey of Space Leased by the Federal Government" (S. Rept. 1617) (p. 8351).
14. NAVY DEPARTMENT APPROPRIATION BILL, 1949. The Appropriations Committee reported with amendments this bill, H.R. 6772 (S.Rept. 1621) (p. 8350).
15. REMOUNT SERVICE. The Armed Services Committee reported with amendments S. 2696, to authorize the transfer of horses and equipment owned by the U.S. Army to the N.Mex. Military Institute; one of the horses to be transferred is the property of the Remount Service (S.Rept. 1624) (p. 8350).

tributions and to continue their present coverage under the program.

I agree wholeheartedly with the President and am proud of his statesmanlike stand on this resolution.

I am in favor of increasing public assistance to the aged, the blind and dependent children much higher than is proposed in this resolution and will do all in my power to have such legislation enacted before we adjourn. Yet, I am gratified and proud that the President was able to discern the serious damage which the other sections of this resolution would have on our social-security program.

I sincerely hope that at least the Members on my side of the aisle will also recognize this resolution for what it really is. Stripped of its masquerade, it is nothing but special-privilege legislation. It is a tax exemption for hundreds of large established concerns which can well afford to pay their share of social-security contributions; but more significantly, it is a tax exemption which results in the denial of social-security protection to hundreds of thousands of individuals and their families who are now entitled to such protection.

The danger inherent in this resolution, as the President has pointed out, lies in the fact that the main considerations on which it seems to be based are the same as those offered in opposition to the original Social Security Act in 1935. I cannot believe that most of the Members of this Congress consider that the mere convenience of employers is more important to our country than the protection of employees and their families against the hazards of old age, unemployment, and premature death. It is obvious, however, that such is the attitude of the sponsors of this legislation.

Accordingly, unless this Congress wishes to go on record with a precedent which might well result in the destruction of the whole social-security program as we now know it, I beseech you to sustain the President's veto of this legislation.

I am not unmindful of the fact that this resolution carries with it increased benefits for the needy. I am also well aware of the desperate plight of these individuals because of the constantly rising cost of living.

However, if the House can take the time it is now taking to debate a resolution which is designed only to grant a tax exemption to a small group of employers, it can certainly spare the time to enact separate legislation on public assistance before adjournment.

Therefore, I repeat, we should vote down this piece of special-privilege legislation. As the President said, we are not forced to accept it merely because of its public-assistance provisions.

On voting it down, we should make every effort to enact public-assistance legislation before adjournment. We shall then see more clearly just how sincerely interested the majority leadership of this Congress is in its efforts to aid the needy individuals who are on the public-assistance rolls.

The previous question was ordered.

The SPEAKER. The question is, Will the House, on reconsideration, pass the

bill, the objections of the President to the contrary notwithstanding?

Under the Constitution, this vote must be determined by the yeas and nays.

Mr. KNUTSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KNUTSON. Those who wish to override the President's veto will vote "yea."

The SPEAKER. Those who wish the bill to become law will vote "yea."

The question was taken; and there were—yeas 297, nays 75, not voting 58, as follows:

[Roll No. 105]

YEAS—297

Abernethy	Ellis	LeCompte
Albert	Ellsworth	Lemke
Allen, Calif.	Elsaesser	Lewis, Ky.
Allen, Ill.	Elston	Lewis, Ohio
Allen, La.	Engel, Mich.	Lichtenwalter
Andersen,	Fallon	Lodge
H. Carl	Fellows	Love
Anderson, Calif.	Fenton	Lucas
Andresen,	Fletcher	Lyle
August H.	Folger	McConnell
Andrews, Ala.	Fuller	McCowan
Andrews, N. Y.	Gamble	McCulloch
Angell	Gary	McDonough
Arends	Gathings	McDowell
Arnold	Gavin	McGregor
Bakewell	Gearhart	McMahon
Banta	Gillette	McMillen, Ill.
Barrett	Gillie	Mack
Bates, Mass.	Goff	MacKinnon
Battle	Goodwin	Macy
Beall	Gore	Mahon
Beckworth	Gossett	Maloney
Bennett, Mich.	Graham	Manasco
Bennett, Mo.	Grant, Ala.	Martin, Iowa
Bishop	Grant, Ind.	Mason
Blackney	Gregory	Mathews
Boggs, Del.	Griffiths	Meade, Ky.
Boggs, La.	Gross	Meade, Md.
Bonner	Gwynne, Iowa	Morrow
Boykin	Hagen	Meyer
Bradley	Hale	Michener
Bramblett	Hall	Miller, Conn.
Brehm	Edwin Arthur	Miller, Md.
Brooks	Hall	Miller, Nebr.
Brophy	Leonard W.	Mills
Brown, Ga.	Halleck	Mitchell
Bryson	Hand	Monroney
Buck	Hardy	Morris
Buffett	Harless, Ariz.	Morrison
Bulwinkle	Harness, Ind.	Morton
Burke	Harris	Muhlenberg
Burleson	Harrison	Mundt
Busbey	Harvey	Murdock
Butler	Hays	Murray, Wls.
Byrnes, Wls.	Hébert	Nicholson
Camp	Hedrick	Nixon
Canfield	Hendricks	Nodar
Cannon	Heslton	Norblad
Carson	Hess	Norrell
Case, N. J.	Hill	O'Hara
Case, S. Dak.	Hoeven	O'Konski
Chadwick	Hoffman	Passman
Chenoweth	Holmes	Patman
Chlperfield	Hope	Patterson
Church	Horan	Peterson
Clason	Hull	Phillips, Calif.
Clevenger	Jackson, Calif.	Phillips, Tenn.
Cole, Kans.	Jenkinson	Pickett
Cole, Mo.	Jenkins, Ohio	Plumley
Colmer	Jensen	Poage
Combs	Johnson, Calif.	Potter
Cooley	Johnson, Ill.	Potts
Corbett	Johnson, Ind.	Poulson
Cotton	Jones, Ala.	Preston
Coudert	Jones, N. C.	Price, Fla.
Cox	Jones, Wash.	Priest
Cravens	Jonkman	Ramey
Crawford	Judd	Rankin
Crow	Kean	Redden
Curtis	Kearney	Reed, Ill.
Dague	Kearns	Reed, N. Y.
Davis, Ga.	Keefe	Rees
Davis, Wls.	Kennedy	Reeves
Dawson, Utah	Kerr	Richards
Devitt	Kersten, Wis.	Riehlman
D'Ewart	Kilburn	Rivers
Dirksen	Kilday	Rizley
Domeneaux	Knutson	Rockwell
Donohue	Kunkel	Rogers, Fla.
Doughton	Landis	Rogers, Mass.
Eaton	Larcade	Rohrbough
Ellott	Latham	

Ross	Smith, Kans.	Vinson
Russell	Smith, Va.	Vorys
Sadlak	Smith, Wls.	Vursell
St. George	Snyder	Wadsworth
Sanborn	Stefan	Welch
Sarbacher	Stockman	Wheeler
Schwabe, Mo.	Stratton	Whitten
Schwabe, Okla.	Sundstrom	Whittington
Scott, Hardle	Taber	Wigglesworth
Scott,	Talle	Williams
Hugh D., Jr.	Taylor	Wilson, Tex.
Scrivner	Teague	Winstead
Seely-Brown	Thompson	Wolcott
Shafer	Tibbott	Wolverton
Sheppard	Tollefson	Wood
Short	Trimble	Woodruff
Sikes	Twyman	Worley
Simpson, Ill.	Vall	Youngblood
Smathers	Van Zandt	

NAYS—75

Bates, Ky.	Forand	Lusk
Bland	Fulton	Lynch
Blatnik	Garmatz	McCormack
Bloom	Gordon	Mansfield
Buchanan	Gorski	Marcantonio
Byrne, N. Y.	Granger	Miller, Calif.
Carroll	Hart	Morgan
Chelf	Havener	Multer
Cooper	Heffernan	Norton
Courtney	Hobbs	O'Brien
Crosser	Holfield	O'Toole
Davis, Tenn.	Huber	Pace
Dawson, Ill.	Isacson	Powell
Deane	Jackson, Wash.	Price, Ill.
Delaney	Jarman	Rayburn
Dingell	Javits	Rooney
Douglas	Karsten, Mo.	Sabath
Durham	Keating	Sadowski
Eberharter	Kee	Sasscer
Engle, Calif.	Kelley	Somers
Evins	Kling	Spence
Feighan	Kirwan	Thomas, Tex.
Fernandez	Klein	Walter
Flannagan	Lanham	Welch
Fogarty	Lesinski	Whitaker

NOT VOTING—58

Abbltt	Gallagher	Pfelfer
Auchincloss	Gwinn, N. Y.	Philbin
Barden	Hartley	Ploeser
Bell	Herter	Rains
Bender	Hinshaw	Rich
Bolton	Jenkins, Pa.	Riley
Brown, Ohio	Jennings	Robertson
Buckley	Johnson, Okla.	Scoblick
Celler	Johnson, Tex.	Simpson, Pa.
Chapman	Kefauver	Smith, Maine
Clark	Keogh	Smith, Ohio
Cilppinger	Lane	Stanley
Coffin	Lea	Stevenson
Cole, N. Y.	LeFevre	Stigler
Cunningham	Ludlow	Thomas, N. J.
Dolliver	McGarvey	Towe
Dondero	McMillan, S. C.	West
Dorn	Madden	Wilson, Ind.
Fisher	Murray, Tenn.	
Foote	Peden	

So (two-thirds having voted in favor thereof) the bill was passed, the objections of the President to the contrary notwithstanding.

The Clerk announced the following pairs:

On this vote:

Mr. Auchincloss and Mr. Towe for, with Mr. Keogh against.

Mr. Dondero and Mr. Simpson of Pennsylvania for, with Mr. Celler against.

Mr. Cole of New York and Mr. LeFevre for, with Mr. Madden against.

Mr. McGarvey and Mr. Stanley for, with Mr. Pfeifer against.

Mr. Foote and Mr. Herter for, with Mr. Buckley against.

Additional general pairs:

Mrs. Smith of Maine with Mr. McMillan of South Carolina.

Mr. Brown of Ohio with Mr. Peden.

Mr. Hartley with Mr. Fisher.

Mr. Coffin with Mr. Philbin.

Mr. Gwinn of New York with Mr. Dorn.

Mr. Thomas of New Jersey with Mr. Chapman.

Mr. Stevenson with Mr. Lane.

Mr. Ploeser with Mr. Rains.

Mr. Jenkins of Pennsylvania with Mr. Riley.

Mrs. Bolton with Mr. Stigler.

Mr. Jennings with Mr. Kefauver.
Mr. Gallagher with Mr. Abbutt.
Mr. Cunningham with Mr. West.
Mr. Clippinger with Mr. Johnson of Texas.
Mr. Bender with Mr. Barden.
Mr. Hinshaw with Mr. Bell.
Mr. Dolliver with Mr. Clark.
Mr. Scoblick with Mr. Murray of Tennessee.

Mr. GRE changed his vote from nay to yea.

Mr. BONNER changed his vote from nay to yea.

Mr. DONOHUE changed his vote from nay to yea.

Mr. LANHAM changed his vote from yea to nay.

The result of the vote was announced as above recorded.

GENERAL LEAVE TO EXTEND REMARKS

Mr. GEARHART. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks on the bill just passed, that they may have five legislative days within which to do so, and that their remarks be printed prior to the roll call.

The SPEAKER. Is there objection to the request of the gentleman from California.

There was no objection.

AMENDING RULES OF THE HOUSE

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 577, Rept. No. 2341), which was referred to the House Calendar and ordered to be printed:

Resolved, That rule IX of the Rules of the House of Representatives is hereby amended by inserting at the beginning thereof "1." and by adding at the end thereof the following:

"2. Whenever a Member presents a question of privilege for the purpose of offering a motion to strike from the RECORD the remarks of another Member, the Speaker shall recognize such latter Member before he shall entertain a motion to move the previous question, and shall grant him time in opposition to such motion equal to the time allowed the Member offering such motion."

PERMISSION TO ADDRESS THE HOUSE

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

LEGISLATIVE PROGRAM

Mr. HALLECK. Mr. Speaker, it is proposed that we continue with certain suspensions which, as we now contemplate, will include the stream pollution bill, S. 581, the shipbuilding assistance bill, House Joint Resolution 412, maintenance of the merchant marine, House Joint Resolution 413, and assistance for local school agencies, H. R. 6527.

Mr. Speaker, a number a Members have asked me whether or not the Consent Calendar will again be called. After consultation with the Speaker and with other leaders, I want to announce that we would like to call the Consent Calendar on Wednesday next.

So, Mr. Speaker, I ask unanimous consent that the business in order on Calen-

dar Wednesday next may be dispensed with this week.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that it may be in order to call the Consent Calendar on Wednesday.

Mr. RAYBURN. Mr. Speaker, reserving the right to object, may I inquire of the Speaker whether the gentleman's request includes the power to suspend?

The SPEAKER. The gentleman from Indiana has not asked for that authority.

Is there objection to the request of the gentleman from Indiana [Mr. HALLECK]?

Mr. COLMER. Mr. Speaker, reserving the right to object, will the suspensions which the gentleman announced be taken up in the order in which he announced them?

Mr. HALLECK. Yes. Of course, that is subject to the determination of the Speaker.

The SPEAKER. Have the leaders come to any agreement as to the time of adjournment tonight?

Mr. HALLECK. I should say at about 5:30. We have quite a heavy day coming up tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Indiana, that the Consent Calendar may be called on Wednesday.

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman, if you are postponing that until Wednesday—what is coming up tomorrow?

Mr. HALLECK. I was just about to announce the rest of the program.

Mr. RICH. If you are doing that in order that you may bring up the draft bill tomorrow, then I will object, because I think those who are opposed to the draft bill ought to have more time than tomorrow to do that.

Mr. HALLECK. May I point out to the gentleman from Pennsylvania that whether or not we call the Consent Calendar on Wednesday has nothing to do with the programing of the Selective Service bill, or the resolution making it in order. In view of that fact, I am quite sure the gentleman from Pennsylvania will not object to the call of the Consent Calendar on Wednesday.

Mr. RICH. Mr. Speaker, if we are having the draft bill tomorrow and not giving those who are opposed to that bill an opportunity to get amendments ready for the bill on Wednesday, then I do object. If you are not going to call up the draft bill tomorrow, then I do not object.

Mr. HALLECK. If the gentleman from Pennsylvania will permit me, I had expected to pursue the announcement of the program within such limits as I can now foresee.

It is proposed to call up the Selective Service bill tomorrow. I may say to the gentleman that, as far as I am concerned, I do not intend to preclude fair and proper consideration of the bill by the House of Representatives. I do not see that the call of the Consent Calendar on

Wednesday will in any way preclude a proper consideration of the selective-service bill, and I am sure the gentleman will concur in our request on that assurance.

The SPEAKER. What is the gentleman's request?

Mr. HALLECK. I made the request, Mr. Speaker, that it may be in order on Wednesday next to call the Consent Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. RICH. Mr. Speaker, I object.

HOOR OF MEETING TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow morning.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. I think I am still proceeding under the 1 minute that was granted me, Mr. Speaker?

The SPEAKER. The Chair is tolerant.

Mr. HALLECK. Permit me to make one further statement. The Private Calendar is in order tomorrow. The Private Calendar will be called immediately upon the convening of the House tomorrow.

Mr. HOFFMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN. When the vote comes on the so-called selective service or conscription measure, will the opponents be given an opportunity to vote?

The SPEAKER. The Chair would hope so.

Mr. HOFFMAN. And so do I.

WATER POLLUTION CONTROL ACT

Mr. MCGREGOR. Mr. Speaker, I move to suspend the rules and pass the bill (S. 418) to provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes, with an amendment.

The Clerk read the bill, as follows:

Be it enacted, etc., That in connection with the exercise of jurisdiction over the waterways of the Nation and in consequence of the benefits resulting to the public health and welfare by the abatement of stream pollution, it is hereby declared to be the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of the States in controlling water pollution, to support and aid technical research to devise and perfect methods of treatment of industrial wastes which are not susceptible to known effective methods of treatment, and to provide Federal technical services to State and interstate agencies and to industries, and financial aid to State and interstate agencies and to municipalities, in the formulation and execution of their stream pollution abatement programs. To this end, the Surgeon General of the Public Health Service (under the supervision and direction of the Federal Security Administrator) and the Federal Works Administrator shall have the responsibilities and authority relating to water

pollution control vested in them respectively by this act.

SEC. 2. (a) The Surgeon General shall, after careful investigation, and in cooperation with other Federal agencies, with State water pollution agencies and interstate agencies, and with the municipalities and industries involved, prepare or adopt comprehensive programs for eliminating or reducing the pollution of interstate waters and tributaries thereof hereinafter declared to be a public nuisance and improving the sanitary condition of such interstate waters and tributaries thereof. In the development of such comprehensive programs due regard shall be given to the improvements which are necessary to conserve such waters for public water supplies, propagation of fish and aquatic life, recreational purposes, and agricultural, industrial, and other legitimate uses. For the purpose of this subsection the Surgeon General is authorized to make joint investigations with any such agencies of the condition of any waters in any State or States, and of the discharges of any sewage, industrial wastes, or substance which may deleteriously affect such waters.

(b) The Surgeon General shall encourage cooperative activities by the States for the prevention and abatement of water pollution; encourage the enactment of uniform State laws relating to water pollution; encourage compacts between States for the prevention and abatement of water pollution; collect and disseminate information relating to water pollution and the prevention and abatement thereof; support and aid technical research to devise and perfect methods of treatment of industrial wastes which are not susceptible to known effective methods of treatment; make available to State and interstate agencies, municipalities, industries, and individuals the results of surveys, studies, investigations, research, and experiments relating to water pollution and the prevention and abatement thereof conducted by the Surgeon General and by authorized cooperating agencies; and furnish such assistance to State agencies as may be authorized by law.

(c) The consent of the Congress is hereby given to two or more States to negotiate and enter into agreements or compacts, not in conflict with any law or treaty of the United States, for (1) cooperative effort and mutual assistance for the prevention and abatement of water pollution and the enforcement of their respective laws relating thereto, and (2) the establishment of such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts. No such agreement or compact shall be binding or obligatory upon any State a party thereto unless and until it has been approved by the Congress.

(d) (1) The pollution of interstate waters in or adjacent to any State or States (whether the matter causing or contributing to such pollution is discharged directly into such waters or reaches such waters after discharge into a tributary of such waters), which endangers the health or welfare of persons in a State other than that in which the discharge originates, is hereby declared to be a public nuisance and subject to abatement as herein provided.

(2) Whenever the Surgeon General, on the basis of reports, surveys, and studies, finds that any pollution declared to be a public nuisance by paragraph (1) of this subsection is occurring, he shall give formal notification thereof to the person or persons discharging any matter causing or contributing to such pollution and shall advise the water pollution agency or interstate agency of the State or States where such discharge or discharges originate of such notification. This notification may outline recommended remedial measures which are reasonable and equitable in that case and shall specify a reasonable time to secure abatement of the pollution. If action calculated to secure abatement of

the pollution within the time specified is not commenced, this failure shall again be brought to the attention of the person or persons discharging the matter and of the water pollution agency or interstate agency of the State or States where such discharge or discharges originate. The notification to such agency may be accompanied by a recommendation that it initiate a suit to abate the pollution in a court of proper jurisdiction.

(3) If, within a reasonable time after the second notification by the Surgeon General, the person or persons discharging the matter fail to initiate action to abate the pollution or the State water pollution agency or interstate agency fails to initiate a suit to secure abatement, the Federal Security Administrator is authorized to call a public hearing to be held in or near one or more of the places where the discharge or discharges causing or contributing to such pollution originate, before a board of five or more persons appointed by the Administrator, who may be officers or employees of the Federal Security Agency or of the water pollution agency or interstate agency of the State or States where such discharge or discharges originate (except that at least one of the members of the board shall be a representative of the water pollution agency of the State or States where such discharge or discharges originate and at least one shall be a representative of the Department of Commerce, and not less than a majority of the board shall be persons other than officers or employees of the Federal Security Agency). On the basis of the evidence presented at such hearing the board shall make its recommendations to the Federal Security Administrator concerning the measures, if any, which it finds to be reasonable and equitable to secure abatement of such pollution.

(4) After affording the person or persons discharging the matter causing or contributing to the pollution reasonable opportunity to comply with the recommendations of the board, the Federal Security Administrator may, with the consent of the water pollution agency (or of any officer or agency authorized to give such consent) of the State or States in which the matter causing or contributing to the pollution is discharged, request the Attorney General to bring a suit on behalf of the United States to secure abatement of the pollution.

(5) Before or after any suit authorized by paragraph (4) is commenced, any person who is alleged to be discharging matter contributing to the pollution, abatement of which is sought, may, with the consent of the water pollution agency (or of any officer or agency authorized to give such consent) of the State in which such matter is discharged, be joined as a defendant. The court shall have power to enforce its judgment against any such defendant.

(6) In any suit brought pursuant to paragraph (4) in which two or more persons in different judicial districts are originally joined as defendants, the suit may be commenced in the judicial district in which any discharge caused by any of the defendants occurs.

(7) The court shall receive in evidence in any such suit a transcript of the proceedings before the board and a copy of the board's recommendation; and may receive such further evidence as the court in its discretion deems proper. The court, giving due consideration to the practicability and to the physical and economic feasibility of securing abatement of any pollution proved, shall have jurisdiction to enter such judgment, and orders enforcing such judgment, as the public interest and the equities of the case may require. The jurisdiction of the Surgeon General, or any other agency which has jurisdiction pursuant to the provisions of this act, shall not extend to any region or areas nor shall it affect the rights or

jurisdiction of any public body where there are in effect provisions for sewage disposal pursuant to agreement between the United States of America and any such public body by stipulation entered in the Supreme Court of the United States. While any such stipulation or modification thereof is in force and effect, no proceedings of any kind may be maintained by virtue of this act against such public body or any public agency, corporation, or individual within its jurisdiction. Neither this provision nor any provision of this act shall be construed to give to the Surgeon General or any other person or agency the right to intervene in the said proceedings wherein such stipulation was entered.

(8) As used in this subsection the term "person" includes an individual, corporation, partnership, association, a State, municipality, and a political subdivision of a State.

SEC. 3. The Surgeon General may, upon request of any State water-pollution agency or interstate agency, conduct investigations and research and make surveys concerning any specific problem of water pollution confronting any State, interstate agency, community, municipality, or industrial plant, with a view to recommending a solution of such problem.

SEC. 4. The Surgeon General shall prepare and publish, from time to time, reports of such surveys, studies, investigations, research, and experiments made under the authority of this act as he may consider desirable, together with appropriate recommendations with regard to the control of water pollution.

SEC. 5. The Federal Works Administrator is authorized, subject to the provisions of section 9 (c), to make loans to any State, municipality, or interstate agency for the construction of necessary treatment works to prevent the discharge by such State or municipality of untreated or inadequately treated sewage or other waste into interstate waters or into a tributary of such waters, and for the preparation (either by its engineering staff or by practicing engineers employed for that purpose) of engineering reports, plans, and specifications in connection therewith. Such loans shall be subject, however, to the following limitations: (a) No loan shall be made for any project unless such project shall have been approved by the appropriate State water pollution agency or agencies and by the Surgeon General, and unless such project is included in a comprehensive program developed pursuant to this act; (b) no loan shall be made for any project in an amount exceeding 33 1/3 percent of the estimated reasonable cost thereof, as determined by the Federal Works Administrator, or in an amount exceeding \$200,000, whichever amount is the smaller; (c) every such loan shall bear interest at the rate of 2 percent per annum, payable semiannually; and (d) the bonds or other obligations evidencing any such loan (1) must be duly authorized and issued pursuant to State and local law, and (2) may, as to the security thereof and the payment of principal thereof and interest thereon, be subordinated (to the extent deemed feasible and desirable by the Federal Works Administrator for facilitating the financing of such projects) to other bonds or obligations of the obligor issued to finance such project or that may then be outstanding.

SEC. 6. (a) The Surgeon General and the Federal Works Administrator, in carrying out their respective functions under this act, shall provide for the review of all reports of examinations, research, investigations, plans, studies, and surveys, made pursuant to the provisions of this act and all applications for loans under section 5. In determining the desirability of projects for treatment works and of approving loans in connection therewith, consideration shall be given to the public benefits to be derived by the construction thereof, the propriety of Federal aid in such construction, the relation of the

ultimate cost of constructing and maintaining the works to the public interest and to the public necessity for the works, and the adequacy of the provisions made or proposed by the applicant for the loan for assuring proper and efficient operation and maintenance of the works after completion of the construction thereof.

(b) There is hereby established in the Public Health Service a Water Pollution Control Advisory Board to be composed as follows: The Surgeon General or a sanitary engineer officer designated by him, who shall be Chairman of the Board, a representative of the Department of the Army, a representative of the Department of the Interior, a representative of the Federal Works Agency, and a representative of the Department of Agriculture, designated by the Secretary of the Army, the Secretary of the Interior, the Federal Works Administrator, and the Secretary of Agriculture, respectively; and six persons (not officers or employees of the Federal Government) to be appointed annually by the President. One of the persons appointed by the President shall be an engineer who is expert in sewage and industrial-waste disposal, one shall be a person who shall have shown an active interest in the field of wildlife conservation, and, except as the President may determine that the purposes of this act will be better furthered by different representation, one shall be a person representative of municipal government, one shall be a person representative of State government, and one shall be a person representative of affected industry. The members of the Board who are not officers or employees of the United States shall be entitled to receive compensation at a per diem rate to be fixed by the Federal Security Administrator, together with an allowance for actual and necessary traveling and subsistence expenses while engaged on the business of the Board. It shall be the duty of the Board to review the policies and program of the Public Health Service as undertaken under authority of this act and to make recommendations thereon in reports to the Surgeon General. Such clerical and technical assistance as may be necessary to discharge the duties of the Board shall be provided from the personnel of the Public Health Service.

SEC. 7. There is hereby authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, a sum not to exceed the sum of \$20,000,000 for the purpose of making loans under section 5 of this act. Sums so appropriated shall remain available until expended.

SEC. 8. (a) There is hereby authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, the sum of \$1,000,000, to be allotted equitably and paid to the States for expenditure by or under the direction of their respective State water pollution agencies, and to interstate agencies for expenditure by them, for the conduct of investigations, research, surveys, and studies related to the prevention and control of water pollution caused by industrial wastes. Sums appropriated pursuant to this subsection shall remain available until expended, shall be allotted by the Surgeon General in accordance with regulations prescribed by the Federal Security Administrator, and shall be paid prior to audit or settlement by the General Accounting Office.

(b) There is hereby authorized to be appropriated to the Federal Works Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, a sum not to exceed \$800,000 to enable the Federal Works Administrator to erect and to furnish and to equip such buildings and facilities at Cincinnati, Ohio, as

may be necessary for the use of the Public Health Service in connection with the research and study of pollution of interstate waters and the training of personnel in work related to the control of pollution of interstate waters. The amount authorized for this purpose shall include the cost of preparation of drawings and specifications, supervision of construction and other administrative expenses incident to the work; *Provided*, That the Federal Works Agency shall prepare the plans and specifications, make all necessary contracts and supervise construction. Sums appropriated pursuant to this authorization shall remain available until expended.

(c) There is hereby authorized to be appropriated to the Federal Works Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, a sum not to exceed the sum of \$1,000,000 to enable the Federal Works Administrator to make grants to States, municipalities, or interstate agencies to aid in financing the cost of engineering, architectural, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other action preliminary to the construction of projects approved by the appropriate State water pollution agency or agencies and by the Surgeon General. Grants made under this subsection with respect to any project shall not exceed whichever of the following amounts is the smaller: (1) \$20,000, or (2) 33½ percent of the estimated reasonable cost (as determined by the Federal Works Administrator) of the action preliminary to the construction of such project. Sums appropriated pursuant to this subsection shall remain available until expended.

(d) There is hereby authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, such sum (not to exceed the sum of \$2,000,000) as may be necessary to enable it to carry out its functions under this act.

(e) There is hereby authorized to be appropriated to the Federal Works Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, such sum (not to exceed the sum of \$500,000) as may be necessary to enable it to carry out its functions under this act.

SEC. 9. (a) To assist in carrying out the purposes of this act, the appointment of engineer and scientist officers may be made under the provisions of section 208 (b) (1) of the Public Health Service Act, in addition to the appointments authorized by such section 208 (b) (1); but not more than five such additional officers shall hold office at the same time.

(b) The Federal Security Administrator, with the consent of the head of any other agency of the Federal Government, may utilize such officers and employees of such agency as may be found necessary to assist in carrying out the purposes of this act.

(c) (1) Upon written request of the Federal Works Administrator, from time to time submitted to the Federal Security Administrator, specifying (a) particular projects approved by the Surgeon General, (b) the total estimated costs of such projects, and (c) the total sum requested for loans which the Federal Works Administrator proposes to make for such projects, the Federal Security Administrator shall transfer such total sum (within the amount appropriated therefor) to the Federal Works Administrator for the making of loans for such projects pursuant to section 5 hereof. In making such loans, the Federal Works Administrator shall adhere to the order or sequence of priority for projects established by the Surgeon General and shall take such measures as, in his judgment, will assure that the engineering plans and specifications, the details of construction,

and the completed treatment works conform to the project as approved by the Surgeon General; and the Federal Works Administrator shall furnish written reports to the Federal Security Administrator on the progress of the work.

(2) The Federal Works Administrator is hereby authorized (a) to hold, administer, exchange, refund, or sell at public or private sale any bonds or other obligations evidencing loans made under this act; and (b) to collect, or provide for the collection of, interest on and principal of such bonds or other obligations. All moneys received as proceeds from such sales, and all moneys so collected, shall be covered into the Treasury as miscellaneous receipts.

(d) The Surgeon General and the Federal Works Administrator are each authorized to prescribe such regulations as are necessary to carry out their respective functions under this act.

SEC. 10. When used in this act—

(a) The term "State water pollution agency" means the State health authority, except that, in the case of any State in which there is a single State agency, other than the State health authority, charged with responsibility for enforcing State laws relating to the abatement of water pollution, it means such other State agency;

(b) The term "interstate agency" means an agency of two or more States having powers or duties pertaining to the abatement of pollution of waters;

(c) The term "treatment works" means the various devices used in the treatment of sewage or industrial waste of a liquid nature, including the necessary intercepting sewers, outfall sewers, pumping, power, and other equipment, and their appurtenances, and includes any extensions, improvements, remodeling, additions, and alterations thereof;

(d) The term "State" means a State, the District of Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin Islands;

(e) The term "interstate waters" means all rivers, lakes, and other waters that flow across, or form a part of, State boundaries; and

(f) The term "municipality" means a city, town, district, or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

SEC. 11. This act shall not be construed as (1) superseding or limiting the functions, under any other law, of the Surgeon General or of the Public Health Service, or of any other officer or agency of the United States, relating to water pollution, or (2) affecting or impairing the provisions of the Oil Pollution Act, 1924, or sections 13 through 17 of the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors and for other purposes," approved March 3, 1899, as amended, or (3) affecting or impairing the provisions of any treaty of the United States.

SEC. 12. If any provision of this act, or the application of any provision of this act to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this act, shall not be affected thereby.

SEC. 13. This act may be cited as the "Water Pollution Control Act."

Mr. WHITTINGTON. Mr. Speaker, I demand a second.

Mr. MCGREGOR. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. The gentleman from Ohio [Mr. MCGREGOR] will be recognized

for 20 minutes, and the gentleman from Mississippi [Mr. WHITTINGTON] for 20 minutes.

Mr. WHITTINGTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WHITTINGTON. As I understand, for the information of the membership, the question is to suspend the rules and pass the bill, S. 418, with an amendment; and that amendment is to strike out all after the enacting clause of the Senate bill and insert in lieu thereof the provisions of the House bill.

The SPEAKER. The gentleman has stated the situation correctly.

Mr. MCGREGOR. Mr. Speaker, I yield myself 5 minutes.

(Mr. MCGREGOR asked and was given permission to revise and extend his remarks.)

Mr. MCGREGOR. Mr. Speaker, for 16 or 18 years there has been before various Congresses of the United States the subject of stream pollution. The Eightieth Congress has had before it about four different bills.

At this time I should like to pay my respects to the authors of those bills: The gentleman from Ohio [Mr. ELSTON]; the gentleman from South Dakota [Mr. MUNDT]; the gentleman from Kentucky [Mr. SPENCE]; and two gentlemen in the other body, the Senator from Ohio [Mr. TAFT] and the Senator from Kentucky [Mr. BARKLEY], coauthors of the bill S. 418. These gentlemen appeared before our committee and were really of great benefit in the drafting of this legislation. And I personally appreciate the untiring efforts of my colleague the gentleman from Ohio, Congressman ELSTON.

The bill S. 418, Mr. Speaker, does not do everything all of us would like to have done so far as stream pollution is concerned, but the reason we have not had any legislation in 16 years is the fact that we could not reach an accord or agreement on a program—no one seemingly wanted to compromise. One group seemed to oppose the suggestions of the other group with the result nothing was done on stream pollution legislation, at least no legislation was passed.

S. 418 does three things: It is limited to interstate streams only; it safeguards States' rights; and it promotes the study and we hope ultimately the solution of problems of stream pollution.

Mr. PICKETT. Mr. Speaker, will the gentleman yield?

Mr. MCGREGOR. I gladly yield to my distinguished colleague from Texas.

Mr. PICKETT. I am interested in the gentleman's statement that this bill is limited in its application to interstate streams only. As I understand the bill it provides:

The term "interstate waters" means all rivers, lakes, and other waters that flow across, or form a part of, State boundaries.

But in section 2 (d) (1) the following language is used:

The pollution of interstate waters in or adjacent to any State or States (whether the matter causing or contributing to such pollution is discharged directly into such waters or reaches such waters after discharge into a tributary of such waters).

It looks to me as though we are getting very far afield from what is actually an interstate stream for practical purposes when we have that language in the bill.

Mr. MCGREGOR. The gentleman has brought up a very important point. It was discussed by the committee many times but the committee feels that the wording in the bill definitely establishes the fact that we are only dealing with interstate streams.

Mr. ELSTON. Mr. Speaker, will the gentleman yield?

Mr. MCGREGOR. I yield to the gentleman from Ohio.

Mr. ELSTON. In answer to the gentleman from Texas, I might call his attention to the fact that in the New River case it was decided by the Supreme Court of the United States that any stream which is susceptible of being made into a navigable stream comes within the interstate commerce clause of the Constitution.

Mr. PICKETT. If the gentleman will yield, in view of that New River case just cited by the gentleman from Ohio [Mr. ELSTON] does not the gentleman from Ohio [Mr. MCGREGOR] think we ought to be very careful in prescribing the limits of participation in this program under the interstate definition here?

Mr. MCGREGOR. I am in complete accord with the gentleman's suggestion, and again may I say that we discussed that fully in the committee. We feel we have safeguarded that very situation in this legislation. We do not consider this as a bill containing everything which everybody wants, but we do consider this is a piece of legislation in the right direction. At least it is a start.

It might be said that this is a compromise bill, a bill that would enable the States and their political subdivisions to enter into a stream pollution program with the aid of the Federal Government and yet retain their own rights.

The bill before us for consideration—

(a) Authorizes to be appropriated an expenditure of \$20,000,000 per year for 5 years for loans.

(b) Grants \$1,000,000 per year for 5 years for expenditure by Federal Security Agency, or by direction of State water pollution agencies, for conduct of investigation, research, etc.

(c) Authorizes to be appropriated to Federal Works Agency \$800,000 per year for 5 years to erect, furnish, and equip such buildings and facilities at Cincinnati, Ohio necessary for use of the Public Health Service in connection with research and study of pollution, and so forth.

(d) Authorizes to be appropriated \$1,000,000 per year for 5 years to Federal Works Agency to make grants to States, municipalities, or interstate agencies to aid in cost of making necessary surveys, and so forth, preliminary to construction of projects approved by the appropriate State water pollution agency and by the Surgeon General. Such grants are not to exceed \$20,000 or 33⅓ percent of the cost of the action preliminary to the construction of the projects.

(e) Authorizes to be appropriated administrative expenses of Federal Security Agency, \$2,000,000 per year for 5 years; and authorizes to be appropriated to the Federal Works Agency \$500,000 per year for 5 years to enable it to carry out functions of this act.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. MCGREGOR. Mr. Speaker, I ask unanimous consent to insert in the Record at this point a statement by the gentleman from New Jersey [Mr. AUCHINCLOSS], chairman of the subcommittee who drafted this legislation.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

Mr. AUCHINCLOSS. Mr. Speaker, in the consideration of S. 418 the subcommittee members were governed by three primary motives: First, to confine the measure to interstate streams only; second, to safeguard States rights so that they would be free from undue interference on the part of the Federal Government; and, third, to promote as much as possible the study of the problem of stream pollution, and to encourage its abatement.

The bill provides that the Surgeon General shall encourage a comprehensive program for the control of stream pollution between the States and to secure their cooperation in combating this evil. If, in the opinion of the Surgeon General stream pollution exists in interstate waters he shall notify the offending parties and ask that they take steps to abate the pollution. If they do not take the necessary steps within a reasonable time he shall again call their attention to the situation and request their cooperation, and if after a reasonable time has ensued following the second notification and no action has been taken, he may request the Federal Security Administrator to call a hearing to be held by the Stream Pollution Board set up for that purpose. The Board shall go into all aspects of the immediate problem and make its recommendations to the Federal Security Administrator. If its recommendations are not acted on within a reasonable time the Federal Security Administrator may, with the consent of the State in which the pollution is discharged, request the Attorney General to bring suit to bring about the abatement of the nuisance.

It will be seen by this procedure that every opportunity is given to the offending parties to correct the situation, and it is only as a last resort that the Federal Government will step in with the use of mandatory power.

A Water Pollution Control Advisory Board is set up in the Public Health Service with the Surgeon General as chairman, which will review the policies of the Public Health Service and make recommendations from time to time. This bill carries authorizations in the sum of \$25,300,000 a year for a period of 5 years, which makes a total of \$126,500,000. Of this total sum, \$100,000,000 is in the form of loans and the balance, \$26,500,000 in outright grants. No loan will be made to any one project for more than one-third of the cost of construc-

tion of stream-pollution abatement, or \$200,000, whichever is the less, and grants are made on the same basis to the different States for the following purposes:

Research, \$1,000,000 per year for 5 years.

Cost of plans for pollution-control plants, \$1,000,000, provided that no grant shall be more than one-third of the cost of the plans, or \$20,000, whichever is the less.

Grant for the construction and rehabilitation of the Stream Pollution Laboratory now located in Cincinnati, Ohio, \$800,000 a year for 5 years.

A grant to the Federal Security Agency of \$2,000,000 and to the Federal Works Agency of \$500,000 for administration purposes.

The committee feels that this bill is a step in the right direction and will provide a solid basis on which to build for the future.

Mr. MCGREGOR. Mr. Speaker, I yield 5 minutes to the gentleman from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. Speaker, I have a great admiration for the gentleman who just left the floor, and I sincerely wish that today I could appear before you as a supporter of the legislation which he supports, because I have spoken in this well for 10 years in behalf of clean-streams legislation. Unfortunately, I am candid to confess that I do not believe S. 418, as amended, will correct America's pollution problem.

It will be recalled that on one occasion this House took a great constructive step forward in clean streams legislation by voting to incorporate a provision called the Mundt amendment which would stop new sources of pollution from being injected into streams. S. 418, as amended, does not even stop new sources of pollution from being injected into streams which are presently clean, to say nothing of its failure to outlaw and prohibit prevailing pollution.

Mr. Speaker, I regret very much this legislation is brought up in the manner it is at this time. I know that some of the Members who speak in support of the legislation also are regretful it has to be brought up under these conditions which do not provide for the offering of amendments. A suspension of the rules is a gag rule supreme insofar as offering amendments is concerned. All amendments are completely barred.

Unfortunately, the condition here today also does not permit of a careful study of this bill. If a careful study of S. 418, as amended, were permitted I am sure it would not secure a hundred votes of the Members of this House, because, in the first place, we find that the most active people who have been advocating clean streams legislation in America for the past 12 years are opposed to this bill. You even find some people who have been engaging in pollution are opposed to it because of the wasteful manner in which it spends public money without even quarantining the pollution problem to its present boundaries in a realistic effort to keep the epidemic from becoming worse.

I feel that today a member of the Appropriations Committee should be speaking here instead of I, because, certainly, here is a chance where you can save the taxpayers' money without jeopardizing the peace, without reducing foreign assistance, or without endangering any particular project in anyone's home community. Here is a place where a vast amount of public money is to be spent with no conceivable possibility of it achieving its announced objective of eliminating pollution.

Let me put it in this form: I wonder if the gentleman from Pennsylvania [Mr. RICH], the gentleman from New York [Mr. TABER], or any of the other good economy-minded Members of the House, and that should include all of us these days, would vote to appropriate a hundred million dollars, for example, to start building a factory, while one wing of that factory was still on fire and before you called the fire department to put out the fire. In other words, before you had done anything whatsoever to stop the spread of the flames would you appropriate money to put the carpenters to work to put up a new building? Of course, you would not, but today in this bill you are being asked to do exactly that in the expenditure of public funds.

Because of the haste of the moment and the inadequate time to study the bill, we have the Senate bill as amended by the House bill, which proposes to spend well over a hundred million dollars to correct the pollution problem while in no single sentence or paragraph is pollution condemned or stopped. In other words, it does not prevent the problem from growing worse. It just puts the carpenters to work rebuilding a house which is burning without even calling the fire department.

Mr. Speaker, we plead with the committee, we urged it to incorporate a simple amendment which this House had previously approved by roll-call vote to stop new outlets of pollution from being injected into interstate waters while we are spending vast sums of the public money trying to correct the problem. We simply begged the committee to so legislate that the conditions of pollution could not steadily grow worse while we are spending money trying to make them better. The committee objected to that and by ingenious device it has transferred to the shoulders of the American taxpayer and the Federal Government virtually all of the potential costs and responsibility of pollution correction because by skillful language appearing in the House version, which does not appear in the Senate bill, they have transferred to the Federal Government the necessity of making research, the responsibility of finding correctives, and even the responsibility of financing the corrective steps and construction.

Let me read you the language on page 17 to show how ingeniously this bill loads onto the backs of the American taxpayer virtually not only the responsibility of pollution correction, but also much of the cost. On page 17, lines 12 to 16, is this very clever language that some polluter schemed up one night and is now trying

to saddle onto the taxpayers of your district. I hope you members of the Committee on Appropriations and the gentleman from Pennsylvania [Mr. RICH] will listen to this:

It is hereby declared to be the policy of Congress * * * to provide Federal technical services to State and interstate agencies and to industries, and financial aid to State and interstate agencies and to municipalities, in the formulation and execution of their stream pollution abatement programs.

I suggest that this bill be defeated so that the next Congress can write a clean legitimate antipollution bill, which will produce reasonable dividends in clean streams for the vast expenditures which somebody must eventually make to save America's waters from becoming permanent cesspools and flowing sewers.

Mr. Speaker, if I could find one ray of hope in S. 418 as amended which would cause me to believe that the net result of this legislation would be to hurry the day when America's streams and interstate waters might be rescued from the menace of greedy pollution, I would be happy to support this bill even in its toned-down and milk-toast approach to the pollution problem. But, sir, I very much fear that S. 418 is a step backward away from a correct solution to the pollution problem rather than a step forward toward cleaner and more wholesome streams.

Insofar as it spends public funds studying a problem which has already been studied, and surveyed, and analyzed for nearly a century without making one single, solitary, definite, and effective provision against either stopping new sources of pollution from becoming operative or toward reducing the huge amounts of prevailing pollution which industries and municipalities are now vomiting into America's waters, I feel that S. 418 is a backward step.

Insofar as S. 418 tends to transfer from the offending industries and municipalities the responsibilities for correcting this pollution practice and for sustaining research activities for reducing the deleterious effects of their own pollution, I fear this legislation is a backward step.

Insofar as S. 418 places on the statute books a law calling itself a Water Pollution Control Act but failing to include among its provisions an iota of control by which the Federal Government can require the abatement of pollution, I fear it is a backward step since this red herring will henceforth make it more difficult to have effective legislation written into law.

It is eloquently noticeable, Mr. Speaker, to those of us who have long labored in favor of adequate and effective legislation, that S. 418 has the blessing and the approval of America's worst polluters. It should mean much to many of you to observe that the polluters' lobby which has successfully beat back all our efforts across the past decade to enact adequate and effective antipollution legislation is strangely silent and conspicuously absent today. Mr. Speaker, these polluters know a red herring when they see one and S. 418 is the long-awaited answer to the polluter's prayer. It will not

stop pollution. It will not outlaw or prevent new sources of pollution. It will not even protect what virgin streams and clean waters there remain in America. But the polluters believe and I believe that this legislation will work to stop new attempts to write effective legislation, that it will protect present pollution practices, and that it will buy polluters additional time to practice their pagan program without being subjected to a workable formula for eliminating unjustifiable pollution.

Mr. Speaker, just this month the State division of the Izaak Walton League of South Dakota, of which I am proud to be a member, held its convention in Webster, S. Dak., and as one of its resolutions opposed the passage of S. 418 as amended, for the reasons I have set forth here this afternoon. Mr. Kenneth A. Reid, conservation director of the National Division of the Izaak Walton League has pointed out the fallacies and the futility of S. 418, as amended, and has voiced the League's opposition to such a sham attack upon the shameful practice of pollution. To many reasonable legislators, it would seem that when the conservationists of America and its clean-streams advocates oppose a bill, erroneously labeled a "Water pollution control act," and when the polluters of America favor that bill, there must be good cause to question the efficacy and the adequacy of such a legislative proposal.

It is with reluctance that I am forced to vote against legislation bearing the antipollution label, Mr. Speaker, after having crusaded for a proper and a positive pollution-control bill for 10 years in Congress and for many other years outside of Congress. But Mr. Speaker, a bill must be judged by its text and its provisions, by its supporters and its opponents, by its contents and its conclusions. The label on the bill is not sufficient. Pollution cannot be cured in America by a headline or a title or by the label on an act of Congress. Consequently, Mr. Speaker, until and unless we have an opportunity to vote on legislation which moves positively forward toward the correction of this country's very serious pollution problem, I shall vote against measures which speak loudly but carry a bent twig in their attack on pollution. I shall do so in the hope that some day Congress may have before it a measure which will really deal effectively with a problem which has already been too long neglected.

Mr. Speaker, I realize that Members are too preoccupied with other matters in these closing hours of Congress to devote careful and sustained attention to this pollution problem. Even if every Member now on the floor voted against S. 418, it could still be approved by the votes of those who will not hear the arguments against it, due to their having to be absent from the floor for important committee duties in these crowded times. Consequently, while I shall vote against this proposal, I shall not detain the House by demanding a yea-and-nay vote. I realize full well that today I am engaged in a futile task of opposition. I do however want the record to show these argu-

ments against S. 418, as amended by the House, with the hope that the Senate may insist on its original legislation and that, regardless, in the next Congress we can correct the manifold inadequacies of the pending legislation, which when clearly understood can bring little solace or comfort to anybody other than the pollution forces of America.

Mr. WHITTINGTON. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I respond to the argument of the gentleman from South Dakota [Mr. MUNDT] who has spoken in opposition to this bill by saying, first, that the bill he introduced, H. R. 3930, provided—and listen to what I say—for authorization for appropriations not to exceed \$100,000,000 annually for an indefinite time. The testimony before our committee showed that the cost of stream pollution would probably aggregate \$1,600,000,000 to \$4,000,000,000. If the gentleman advocates economy, it strikes me that he certainly should favor the pending bill, because the pending bill limits the appropriation that may be made over a period of 5 years to a total of approximately \$126,000,000.

Secondly, he states that the pending bill does not prevent new sources of pollution. That is one of the vices of the bill that the gentleman himself introduced this session. He has introduced previous bills. I know that he is for the improvement of our streams, for fishing and conservation and so am I, but for my part and the part of the committee we decided that if in any State a municipality wanted an outlet, whether that municipality be large or small, if there was to be a small or large new industry, they should not have to come to Washington and get permission to establish a new outlet. He has very correctly stated that we decided to leave the matter of a new outlet where it belongs, to wit, to the stream-pollution and the sanitary or public-health boards of the States. We have enough bureaucracy requiring citizens to come to Washington for Federal approval for local works. He complains that this bill provides for Federal construction at Federal expense. Whether the gentleman has refreshed his memory or not, the very bill that he introduced would have provided a loan of the entire amount of the construction by the Federal Government or for a grant without any probability of it being repaid, of millions and millions of dollars, to many municipalities. This bill says that that proposal is unsound. This bill says that the primary trouble in the matter of pollution is not in the intrastate streams controlled by the State boards but in the interstate streams like the Ohio River, and I give you that as an example, where, if the city of Cincinnati undertakes to provide sewerage, a city in West Virginia or in Kentucky, across the river, might endanger that disposal that has been made. This bill for the first time treats this problem constructively and undertakes to provide so that we may have the example to go by in the years to come, for assistance to States, for assistance to municipalities and other public bodies, in further pro-

viding sewage disposal; on interstate streams.

I call your attention to this. Under the gentleman's bill, the steel companies or the big industries of the United States could have come to Washington for a loan. We have stricken that in this bill.

Mr. MUNDT. If the gentleman will yield, that is not in my bill. It may be in somebody else's bill, but it is not in mine.

Mr. WHITTINGTON. It is in the gentleman's bill. I mean loans to industries. There are no grants to industries in the gentleman's bills, but I repeat there are loans to industries. I have the comparison here. It provided for loans to industries and as I have stated it did not provide for grants to industries.

I have studied this problem. Bills have been introduced for years with respect to pollution. All of us are against pollution, just as all of us are against sin. But when you come to look into this matter, it has resolved itself into these two propositions: First, whether or not the local municipalities and public bodies shall construct their sewage systems, and the handling or treatment of sewerage is pretty well perfected. Secondly, whether industry shall be required under the regulations in the States to construct their own industrial disposal plants. We have provided in this bill for a laboratory. There are colleges and universities that are providing for studies for the disposal of industrial waste, which is the big problem, and for other waste. The solution has been perfected with respect to sewerage disposal, but when it comes to the disposal of industrial and other waste and especially sewerage disposal in interstate waters, we have here provision for a laboratory, already established and to be continued at Cincinnati. We have provided an authorization of \$800,000 a year, so that the Government will not go into this matter blindly, but that we may have the laboratory and the experiments conducted there, and they may be made available to the municipalities of the United States. Information will be distributed to them to enable them to construct their programs.

Another thing, we provide for loans in this bill, but we provide that those loans shall be one-third of the cost, in no case to exceed \$200,000. Do you know that some cities in the United States have gotten \$15,000,000 to \$18,000,000 for the construction of their sewage systems in the war and WPA days? They are better able to construct them than the Federal Government. We say to cities like Cincinnati and other great cities in this country, "You are better able to construct your city disposal plant than the Federal Government." But they say, "If we do, the small towns up the river may not make similar arrangements." We provide for loans and aid to those small towns for one-third of the cost of their projects, one-third of the cost of preparing the plants and for supervision, not to exceed \$200,000.

Pollution bills have been introduced every session. They have kept a good many people employed or interested in the United States. We are all interested

in the preservation of our streams. No man likes to fish or hunt more than I. But you have to choose often whether you are going to fish or build a plant. You have to choose whether the Federal Government is going to provide city disposal or whether the municipalities will provide it.

Mr. Speaker, this bill is constructive and in the right direction, to solve the general problem of stream pollution.

I extend to say stream pollution bills have been introduced in practically every session of the Congress since 1897. Bills to approve compacts among the States to prevent pollution have been passed. Bills have been reported. The Barkley-Vinson bill, as I recall, was passed by the House in 1936 and died in the Senate. About 10 years ago a stream pollution bill introduced by Senator BARKLEY and Representative Fred M. Vinson, now Chief Justice of the Supreme Court of the United States, was passed by the Congress and vetoed by the President because the budgetary provisions of the bill were inadequate, in the view of the President.

Hearings have been repeatedly conducted by the committees of the House and the Senate. During the Eightieth Congress bills were introduced in the Senate by Senator TAFT, Senator BARKLEY, and in the House by the gentleman from South Dakota, Representative MUNDT, the gentleman from Kentucky, Representative SPENCE, and the gentleman from Ohio, Representative ELSTON. Hearings before both the House and the Senate committees are available.

The Mundt bill was H. R. 3990. The Taft-Barkley bill passed by the Senate was S. 418. The House Committee on Public Works gave most careful consideration and finally decided to report as a substitute for S. 418 the bill under consideration. It provides for striking out all after the enacting clause and inserting the House bill.

Stream pollution arises largely from sewage disposal and industrial waste. The bill as passed by the Senate provided for no grants to States, cities, or other public bodies. The Mundt bill provided for grants. Both the Senate and the Mundt bill provided for loans to States, municipalities, and public bodies. The Mundt bill did not restrict the amount, while the Senate bill provided for loans of one-third of the estimated cost. Both the Senate and the Mundt bills provided for loans to industrial enterprises. Both bill provided interstate compacts.

PENDING BILL

I suggest that the Members of the House read the report of the committee. There is an excellent analysis of the substitute bill and a careful statement as to the changes made by the House in the Senate bill.

I summarize by saying:

One. The Senate bill authorized appropriations amounting to \$100,000,000 per year. The House substitute authorizes loans of \$20,000,000 annually for 5 years. Loans to any one agency are limited to \$200,000.

Two. There is an authorization for investigations and research to the States

amounting to \$1,000,000 annually for 5 years. There are authorizations for grants for \$1,000,000 for 5 years for engineering and planning. The bill is confined to interstate streams and the tributaries of such streams as they affect States other than those in which the tributaries are located.

Three. The bill authorizes no loans or grants to private citizens, or to industry.

THE PROBLEM

First. The problem of stream pollution is important. The treatment of city disposal has been fairly well perfected. The bill contemplates that all cities shall provide their own disposal plants. Their indebtedness is less than that of the Federal Government. For needy cities a maximum loan of \$200,000 is provided.

Second. The bill contemplates that all industries provide their own disposal plants.

Third. A laboratory at Cincinnati is to be maintained. The information as a result of the studies will be available to public bodies and to industry, on interstate streams.

Fourth. Grants are authorized to assist public bodies in making plans.

Fifth. Stream pollution is a problem for the States. The bill, therefore, is limited to interstate streams, as defined. While the Senate bill would have authorized appropriations of \$100,000,000 annually for an indefinite period, the pending bill, as a constructive solution of a difficult problem, authorizes approximately \$126,000,000 over a period of 5 years, primarily for loans and for administration. There is a limit to the authorization.

Research has done much to remove and prevent pollution and industrial waste. Chemicals do pollute. Mines pollute. Pollution should be eliminated whenever and wherever possible. While means of treatment for sewage disposal have been perfected, the methods of preventing industrial waste is still being perfected. Today on some streams it is either industry with its pollution eliminated as far as possible, or the streams without industry.

The bill is constructive. The problem is with the States, municipalities, and public bodies. The Government will cooperate to prevent and to eliminate pollution where local public bodies are unable to eliminate. If the problem is solved on interstate streams, it can later be extended to other streams. The bill is a safe approach, and if successfully administered, the program may be extended.

(Mr. WHITTINGTON asked and was given permission to revise and extend his remarks.)

Mr. WHITTINGTON. Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky [Mr. SPENCE].

May I ask the gentleman to yield?

Mr. SPENCE. I yield.

Mr. WHITTINGTON. Mr. Speaker, as has been correctly stated, this bill does not undertake, as did the bill of my delightful friend from South Dakota, to exercise any jurisdiction over any cross-

State streams, except those streams that may be tributaries to interstate streams on the Ohio River. It is up to the crops to decide how far up those streams, whether 5 or 10 or 15 miles, their influence extends.

Mr. SPENCE. Mr. Speaker, we are told in the book of Genesis:

In the beginning God created the heaven and the earth. And the earth was without-form, and void; and darkness was upon the face of the deep.

God created the waters before He created the light. Nature has furnished man a pure supply of water ever since that time. But man has polluted that water, and in many cases made it unfit for human consumption. For 16 years I have endeavored to have some constructive legislation put upon the statute books to control pollution. The only piece of legislation that has been put on the books is that authorizing a compact between the eight States in the Ohio Valley to make agreements to control pollution in that section. In those 16 years, there is not a section, a sentence, or a word attempting to commence the process of giving relief to those people affected by water pollution. I want to tell you why I am interested in this, and I think it is characteristic of many other sections of the United States. The Ohio River is locked and dammed for the purpose of navigation. In the summer time, these pools do not consist of running water. They are stagnant cesspools. They are the outfall sewers of all the cities on the Ohio River. That pool which extends from about 4 miles below Cincinnati to Coney Island, about 8 miles above the city, takes the domestic sewage and industrial waste of that great section, the domestic sewage of 800,000 people at least, and the industrial waste of a section which might be called the Ruhr of America. Out of that pool comes the water supply of the people. That condition exists, not alone in that section, but in other sections of the United States, where they are afflicted in the same way. It is a dangerous source of disease and epidemics. It is horrible to contemplate that that is the source of water of the people along that great river. Thomas Jefferson once said it was the most beautiful river in the world. Now its value in many respects is practically destroyed by pollution. Wild life no longer seeks it. Fish and all aquatic life have either been destroyed or made unfit for human consumption. Men have always sought to make their habitations upon site near the river, but in many sections I do not think they would now seek the Ohio for this purpose.

Cincinnati is a rich town. It has a great waterworks system and a great filtration plant. It can in a sense protect itself against the pollution of that river. Yet with new industries you can distinguish a difference in the taste of the water. But on the Kentucky side of the river there are many small towns. They have no money to build filtration plants, and they do not have the great waterworks system that they have in the great cities. They dig a deep well, pump the water into the tank, chlorinate

it, and use it. It has been demonstrated that these subterranean waters because of percolating waters from the river are highly polluted.

This is not a political question. This is a question that affects every man, woman, and child who is dependent upon this river for water. It is a question to which you should give very careful and sympathetic consideration.

I know there have been quibbles as to where the responsibility is, whether it is on the Federal Government or on State, county, and city. I think there is a joint responsibility, but we cannot have this pollution controlled unless the Federal Government steps into the picture. The States and local subdivisions could no more control pollution of the river than they could control the rivers for purposes of navigation or flood control. It is necessarily a national question. The Public Health Service is greatly interested in the passage of this bill. They have done a great work. Some years ago I introduced a bill providing for a pollution survey of the Ohio Valley.

The SPEAKER. The time of the gentleman from Kentucky [Mr. SPENCE] has expired.

Mr. WHITTINGTON. Mr. Speaker, I yield the gentleman one additional minute.

Mr. SPENCE. That survey has been made. It is pioneer work in that field. It consists of three great volumes. They now know the pollutive substances that are in that river. They know how to treat them. I believe if you put this bill upon the statute books, it would be at least a commencement in the cleaning up of the river. If it needs amendment, we can amend it in the future.

I hope you will vote for the bill.

The SPEAKER. The time of the gentleman from Kentucky has again expired.

Mr. MCGREGOR. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. ELSTON].

Mr. ELSTON. Mr. Speaker, the legislation that is before the House today is the culmination of more than 50 years of work. On many occasions stream pollution bills have been introduced in Congress. One of these bills was passed and was vetoed for a budgetary reason; one died in conference; and at our last session we were unable to complete the then pending bill.

The gentleman from South Dakota [Mr. MUNDT] apparently is the only one who is raising any objection to this legislation. If we had an opportunity to examine the bill that he introduced and the bill before us today, we would find that substantially there is only one real difference and that concerns new outlets of pollution.

I submit, Mr. Speaker, that it would be absurd to compel a new industry to indicate in advance that it may pollute a stream. You might as well expect a new industry to indicate in advance that it is not going to violate the antitrust laws or any other laws.

If there are any outlets of pollution from new industries, they can be taken care of the same as existing pollution would be handled under this bill.

The gentleman from Kentucky [Mr. SPENCE] made a point that there had been a survey of the Ohio Valley. That survey cost \$600,000 and was authorized by Congress. What the gentleman did not mention, because of lack of time, was that the report indicated that the Ohio River is polluted to such an extent that 30 public sources of water supply serving about 1,660,000 people are endangered.

I think it is important to consider, so far as enforcement is concerned, that nine States in the Ohio Valley have entered into a sanitation compact. They have agreed to be sued, to make their States and their subdivision susceptible to mandamus, injunction, specific performance, or any remedy that might be exercised in the courts, all with a view to eliminating water pollution.

The pending bill does not have a semblance of bureaucracy about it. There is not a single step that is taken under the pending bill that is not first authorized by some State agency, either by the public-health service of the State or some agency that may be designated by the State's public-health authority. Only in the final analysis, after it has been impossible for the States to enforce the law, is the Attorney General of the United States authorized to bring action in the United States court, and he cannot act without the consent of the State.

Mr. JOHNSON of California. Mr. Speaker, will the gentleman yield?

Mr. ELSTON. I yield to the distinguished gentleman from California.

Mr. JOHNSON of California. Does this take all actual responsibility away from cities and States and place it in the Federal Government?

Mr. ELSTON. Not at all; not at all.

This bill authorizes the appropriation of \$126,000,000 over a period of 5 years; \$100,000,000 of this amount is in the form of loans to the States and their subdivisions at 2-percent interest. So it results in no cost to the Federal Government except the \$26,500,000 over a period of 5 years. When, therefore, the gentleman from South Dakota talks about huge appropriations I hope you will bear in mind that those loans are repayable to the Federal Government.

It was pointed out by the gentleman from Kentucky [Mr. SPENCE] how impossible it is for some of the smaller cities and towns to provide sewage disposal plants. The city of Cincinnati is today ready to spend more than \$20,000,000 for a sewage disposal plant, but the money will be wasted if the cities across the river, with a population of approximately 175,000 people are unable to finance sewage disposal plants:

I say therefore, Mr. Speaker, that this legislation is long overdue. This bill has been thoroughly considered by the Committee on Public Works of the House and by the subcommittee of which the gentleman from Ohio [Mr. MCGREGOR] is a member, and the gentleman from New Jersey [Mr. AUCHINCLOSS] is chairman. The Committee on Public Works voted unanimously for this bill and the subcommittee that reported this bill voted unanimously for it. The gentleman from South Dakota was heard be-

fore the committee, and all persons were heard who wanted to be heard, both the proponents and the opponents of the bills under consideration. After full and careful review of all of the evidence submitted this bill is the result. It amends the Senate bill in some respects, but not to an appreciable extent. The Senate bill passed that body unanimously.

On a number of occasions I have urged favorable action upon bills to eliminate water pollution. I heartily endorse the pending bill. Further delay in the passage of legislation on this subject will seriously endanger the health of millions of people.

Many Members are familiar with the history of stream-pollution legislation. Water pollution control bills were first introduced in the Fifty-fifth Congress in the year 1897. Continuously since that time efforts have been made to obtain this much-needed legislation without success, during all of which time water pollution has become more aggravated until today only a miracle prevents a serious epidemic in many areas of the country. Perhaps no area has been jeopardized more than the Ohio Valley. At times legislation has been imperiled because of the failure of all groups interested in the elimination of water pollution to agree on enforcement methods. These groups having now arrived at an understanding, I sincerely trust there will be no difficulty in obtaining favorable House action on the bill now pending.

From the standpoint of economy the cost of this legislation is negligible as compared with the great good it will accomplish. Only by the passage of legislation of this kind can the health of the Nation be safeguarded. Under the provisions of the pending bill two-thirds of the cost of sewage-disposal plants erected by public bodies must be assumed by local communities before a loan from the Federal Government can be obtained. No outright grants-in-aid are provided for and private industries cannot even make a loan from the Government. Under the terms of the bill before us, out of the total of \$25,300,000 authorized to be appropriated per year for 5 years, \$20,000,000 per year is in the form of loans which must be repaid with interest at 2 percent.

State laws alone are inadequate to deal with the situation. Because of the navigation dams in the Ohio River which retard the natural flow of the water the river has become a series of cesspools, particularly near the larger cities. It is near one of these cesspools that Cincinnati, Ohio; Covington, Newport, Bellevue, Dayton, and Ludlow, Ky., across the river from Cincinnati, obtain their water supply. It has been demonstrated that there are times when fish cannot survive in this pool. The city of Cincinnati has spent a large sum of money on a modern waterworks, and is ready to spend more than \$20,000,000 additional for an improved system. But I submit that there is a limit beyond which sewage cannot be treated. Moreover, it is almost useless for Cincinnati, or any other city, to spend large sums on sewage-treatment works if neighboring cities are unable to cooperate. In many

places in the Ohio Valley the safety limit is being exceeded. As an example, a survey showed that along the 90-mile stretch between Pittsburgh, Pa., and Wheeling, W. Va., the average coli count was 125,000 to the pint. At one place it was as high as 405,000. The limit of safety is 100,000. Below Louisville the coli count has ranged from an average of 320,000 to a maximum of 1,200,000. Every conceivable effort has been made to deal with the subject and great progress has been made. Whereas there were only two disposal plants in the Ohio Valley Basin in 1900, by the end of 1930 there were 200, with 300 more being added during the next 10 years. I am informed that in the Ohio River Valley municipal sewage has been treated as much as 74 percent in the State of Illinois; 62 percent in the State of Indiana; 23 percent in Kentucky; 73 percent in New York; 47 percent in Ohio; 17 percent in Pennsylvania; and 8 percent in West Virginia. But it is obvious that this is far from enough. As I have pointed out, it is useless for one city to operate a sewage-treatment plant if nearby cities fail to do so. Only by the enactment of legislation of this kind can real results be accomplished. Tragic consequences may be the price of delay.

In this connection, Mr. Speaker, I should like to call attention to the report of the Ohio River committee dated April 20, 1943, upon a survey of the Ohio River and its tributaries for pollution control. This was an exhaustive survey, carried on by virtue of an appropriation of Congress, and the report was submitted to Congress by the Chief of Engineers of the War Department. It was referred to by the Chief of Engineers as the most complete and comprehensive examination ever made into the sanitary conditions of a major river and its tributaries. About 5 years were required to obtain and analyze the voluminous field data necessary for a sound study of the complicated problems involved, to consider the technical, financial, and other associated questions, and to develop a plan for remedial improvements. The Corps of Engineers and the Public Health Service were in full collaboration at all times on this comprehensive pollution report. I would particularly direct the attention of the committee to the first part of syllabus 1 of that report wherein it was pointed out that practically all streams in the Ohio River basin are polluted by domestic and industrial wastes; that the Ohio River proper is polluted to such an extent that 30 public sources of water supply serving about 1,660,000 people are endangered. In this connection it should be remembered that the streams of the Ohio basin furnish water for 7,000,000 people and it is used for the disposal of sewage by 8,500,000 people.

It should be borne in mind that the construction of sewage-disposal plants is not beneficial solely to the municipalities or other public bodies erecting them. Benefits necessarily accrue to all persons living along the stream and within an area which would be affected if such treatment works were not built. In this connection the attention of the House is directed to the fact that much of the

contamination of the Ohio River is due to the system of locks and dams constructed and maintained by the Federal Government. By retarding the natural flow of the water, conditions are greatly aggravated. The Ohio River as a navigable stream is under the jurisdiction of the Federal Government so far as the regulation of commerce is concerned. Contamination of the river is obviously detrimental to transportation on the river. It could scarcely be contended that the general health of the Nation or any large segment thereof is purely a local problem. Under the circumstances the clearing of our navigable waterways is primarily an obligation of the Federal Government.

I believe it is just as essential that the Federal Government make some contribution toward the elimination of water pollution as it is for the Federal Government to contribute to the building and maintenance of highways and of locks and dams on navigable streams. In each case there is a service to the general public. As to highways and locks and dams the contribution is in the interest of transportation and commerce and the safety and convenience of the traveling public. As to the elimination of stream pollution the contribution is in the interest of public health. I submit that as between the two classes of cases public health is the more important.

Of particular significance in connection with the pending bill is the fact that the Ohio River Valley Water Sanitation Compact entered into between the States of Illinois, Indiana, Kentucky, New York, Ohio, Pennsylvania, Tennessee, West Virginia, and Virginia has now been adopted by all of these States. Under this compact each of the signatory States pledges to each other faithful cooperation in the control of future pollution and in the abatement of existing pollution from the streams in the Ohio River Basin. Each agrees to enact necessary legislation to enable each such State to place and maintain the waters of the Ohio Basin in a satisfactory sanitary condition.

A commission made up of representatives from the 9 States appointed by their respective Governors is empowered, among other things, to give notice to any municipality, corporation, or other entity discharging pollution into a stream to discontinue the practice. If the order of discontinuance is not obeyed provision is made to enforce compliance by going into any court of general jurisdiction or into the United States district court in any of the signatory States. Such courts shall have jurisdiction by way of mandamus, injunction, special performance, or other form of remedy to enforce any abatement order.

The adoption of this compact will go a long way toward the elimination of pollution from streams in the Ohio Basin. In the Potomac Valley there is a similar compact and other areas will no doubt follow.

The enforcement provisions of these compacts, plus the general laws of the States and municipal ordinances, as well as the enforcement provisions contained

in this bill, should be assurance that pollution abatement is now certain. Particularly is this true in view of those provisions of this act which provide for loans to municipalities or other public bodies unable to finance and maintain sewage treatment or disposal works.

This proposed legislation is long overdue. It is the final step toward the solution of an increasingly serious problem concerning the health of the Nation.

In order that the House may be more fully advised with respect to the activities of the Public Health Service, I ask, Mr. Speaker, for unanimous consent to include as part of my remarks a letter from the Surgeon General of the Public Health Service, dated June 11, 1948:

FEDERAL SECURITY AGENCY,
UNITED STATES PUBLIC HEALTH SERVICE.
Washington, D. C., June 11, 1948.
HON. CHARLES H. ELSTON,
House of Representatives,
Washington, D. C.

DEAR MR. ELSTON: This is in reply to your inquiry regarding the development and use of the Water and Sanitations Investigation Station at Cincinnati, Ohio, especially with reference to housing and equipment.

This field laboratory station was established in 1913 for the purpose of conducting essential research in the fields of water supply, sewage treatment, and water pollution. The public health aspects of these problems have been emphasized. The laboratory was developed to meet the request for assistance from States and industries. The Cincinnati station is the only Federal facility of this type in existence. Since its establishment the laboratory has been housed in the old Marine Hospital building, a converted residence of about 15,000 square feet, at East Third and Kilgour Streets. These ill-suited quarters, inadequate from the start, have seriously handicapped research and investigations. Since 1935 inadequacies in space and equipment have been such that only the more pressing problems presented by States and industries could be handled. Practically all of the much needed basic research work at the Station had to be suspended. As additional exigencies devolved upon the Public Health Service, it has been necessary to resort to makeshift laboratory space at other cities throughout the country.

In 1938 the inefficiencies resulting from lack of adequate quarters and facilities became sufficiently acute to warrant the attention of the Congress, and resulted in the inclusion of funds for a basic research unit in the Public Buildings Administration appropriation. Legal difficulties in site acquisition prevented inauguration of construction prior to the prewar emergency. These difficulties have been resolved. The proposed site is Government-owned, and preliminary plans have been completed. The current Public Buildings Administration construction estimate for the facility is approximately \$4,000,000. Construction of a suitable facility would permit consolidation of the present widely dispersed staff in a properly designed building to do a much more effective job.

At the present time treatment processes for many of our more important industrial wastes have not been developed. For example effective and practical treatment still has to be worked out for wastes resulting from the manufacture of synthetics (notably plastics), products of nuclear fission, and even the wastes from such a common and extensive industry as food canning. In instances where treatment costs of industrial byproduct wastes are exorbitant, it is often possible in working with industry to reclaim waste products for beneficial use. A striking

example is the work done with distilleries where reclaimed products from wastes are used for stock feeds.

Pollution problems relating to irrigation water, shellfish production, and bathing and recreational facilities are dependent upon laboratory and field investigations for their satisfactory solution. There is some question of the soundness of present standards governing controls in these fields.

The existing responsibilities of the Public Health Service in the fields of water, sewage, industrial wastes, and milk and food require a research facility of the type proposed. Such a center is an absolute necessity to the successful prosecution of a comprehensive water pollution control program. For instance the Public Health Service, through the Cincinnati station, regularly works with the Corps of Engineers, United States Army, on pollution and water-use problems in multipurpose reservoir developments. The Ohio River Survey (H. Doc. No. 266) is an example in point. Work is in progress in the Gulf Coast States on control of water hyacinths and other disrupting aquatic vegetation. Several programs are under way with the Bureau of Reclamation in the Missouri and Columbia River Basins. The Cincinnati laboratory does the technical surveys and work on industrial pollution for the International Joint Commission with Canada. Applied research in septic-tank design for rural and suburban nonsewered areas is now under way for the Housing and Home Finance Agency. Technicians at the station are working with the Atomic Energy Commission on problems relating to radioactive wastes. Investigations on pollution of shellfish in the New England States are currently being made. Similarly, assistance is provided industrial establishments such as the recently completed industrial-waste guides covering more than 15 major-type industries. However, the paucity of space and equipment materially restricts the degree of assistance that can be rendered. Further, little is being done on basic work where additional knowledge is essential.

The Public Health Service has approached this entire problem with a view of conducting research and investigations that are generally beyond the resources of the individual States. Public Health Service work is supplemental to, rather than a substitute for, the work carried on by the respective State pollution-control agencies.

In carrying out its responsibilities in water-pollution control, the Public Health Service proposes to approach the problem by major watersheds. In cooperation with the proper Federal and State agencies concerned, the plan is to catalog the main stream and its tributaries as to total water use, establish stream standards for the various segments, and work with the State agencies in effecting corrective measures. The success of this program will be largely dependent upon the quality, character, and extent of research and technical field-service activities which are being developed at the Cincinnati station.

Sincerely yours,

LEONARD A. SCHEELE,
Surgeon General.

The SPEAKER. The time of the gentleman from Ohio has expired.

(Mr. ELSTON asked and was given permission to revise and extend his remarks and to include a letter from the Surgeon General of the United States Public Health Service.)

Mr. WHITTINGTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Speaker, I rise in support of Senate bill S. 418 as amended in the House Committee on Public Works. From the earliest days the rivers and streams of this country have been among its great assets. We not

only depend upon the larger streams for transportation, but an unpolluted stream, whether large or small, is a source of pleasure, convenience, and to a certain extent a source of wealth, to every landowner whose land abuts on the stream. These streams provide moisture for crops in the low lands, drinking water for cattle and stock, provide fishing and wildlife for the area, and boating, swimming and other recreational facilities which add much to the pleasure and comfort of the community. On the other hand a polluted stream not only does not furnish these pleasures, comforts and conveniences, but it is actually a nuisance of the worst sort, and a source of annoyance as well as disease, and instead of being an asset to the adjoining landowner, it actually detracts from the value of his land, and becomes an abomination.

It is evident that the means and instrumentalities which have heretofore been relied upon to deal with stream pollution have not been adequate, and have failed to control it. Instead of being reduced, stream pollution, I believe, is on the increase. One of the unfortunate features of stream-pollution control under present conditions is the fact that where one municipality, one county, or one section, may apply itself diligently to the problem, another community or area either up the stream or down the stream may fail to refuse to take action, and this failure or refusal to take action, nullifies all the good work which may be done by one or more forward-looking cities or communities on the banks of a particular stream. I believe the general scheme of this bill is to encourage cooperation in the control of stream pollution throughout the entire length of a stream. It not only provides for the control and elimination of stream pollution insofar as interstate waters are concerned, but includes tributaries of such interstate waters, and that means that the aid provided for in this bill will be available for pollution control and elimination, for instance, not only of the Chattahoochee River in Georgia, but also of its tributary streams, and of streams that flow into the Flint River and the Apalachicola River.

The bill deals with the subject of stream pollution as a matter relating to the public health and welfare, and to a large extent, and I think wisely so, places the control and administration of the program under the Surgeon General of the Public Health Service. This bill deals with stream pollution by discharges of sewage, industrial waste, or other substances which may deleteriously affect the waters into which such substances are discharged.

Provision is made for the appropriation over a 5-year period of approximately \$120,000,000 to finance the program. Under section V of the bill the Federal Works Administrator is authorized, subject to the provisions of section IX (c) of the bill, to make loans to States, municipalities, and other municipal subdivisions—which in my opinion includes counties—up to the sum of \$200,000, for the construction of the necessary treatment works, to prevent the discharge by such State or municipal subdivision of

untreated or inadequately treated sewage or other waste into interstate waters or into a tributary of such waters, and also for the preparation of engineering reports, plans, and specifications in connection therewith.

I believe that this bill will effectively encourage the elimination of stream pollution throughout the entire length of a stream, and will encourage elimination of stream pollution by smaller cities and towns, which in the past, may have found the burden too large to be carried by themselves alone. I believe that it will produce returns throughout the entire country in the form of increased good health, increased sanitation, increased recreational facilities, increased land values, and all these items will add up to increased pleasure, satisfaction and contentment on the part of our people. In my opinion this is a very meritorious bill, and one which deserves our wholehearted support.

(Mr. DAVIS of Georgia asked and was given permission to revise and extend his remarks.)

Mr. WHITTINGTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Louisiana [Mr. LARCADE].

Mr. LARCADE. Mr. Speaker, for many years, since I have been a member of the Committee on Rivers and Harbors and recently the Committee on Public Works, a number of bills have been introduced each year on this subject. Long hearings were held on four bills which were presented this year. They were considered together and the committee was able to work out the bill which we present to you here for consideration.

I think generally speaking this is a good bill and urge the Members of the House to vote for it.

(Mr. LARCADE asked and was given permission to revise and extend his remarks.)

Mr. WHITTINGTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I wish to ask the gentleman from Mississippi a question. I have not had an opportunity to go fully into this bill. Is provision made for loans to industry that are charged with polluting streams, as well as to municipalities?

Mr. WHITTINGTON. No; no provision is made for loans in the pending bill to industry. Provision is made only for municipalities and other public bodies.

I wish to say further in answer to the gentleman's question that under the Mundt bill provisions were made not for grants but for loans to industry, and the same provision was in the other bills introduced before our body.

Mr. COLMER. A further question, if the gentleman will permit: Where an industry is charged with pollution of a stream, what is the remedy?

Mr. WHITTINGTON. The remedy is that before they can operate they have got to comply with the State board of health requirements or with sanitary boards' requirements of the several States; and according to the hearings conducted over a long period of time there seems to be no desire on the part

of industry generally to evade its responsibility.

Mr. COLMER. In other words the procedure would be the same for it as for a public body except there is no provision for loans.

Mr. WHITTINGTON. That is right.

Mr. COLMER. I thank the gentleman.

Mr. WHITTINGTON. Except public parties are given grants in amounts for preparing their plans and specifications and industries are not, but they are furnished information which will be helpful.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from North Carolina.

Mr. BONNER. What is the distinction between municipalities or cities as to those which can get a loan under the bill and those that are not eligible?

Mr. WHITTINGTON. There is no distinction between any municipalities at all. All municipalities as defined by the laws of the several States of the Union are eligible.

Mr. BONNER. I understood the gentleman to say that Cincinnati would not be eligible for aid under this bill but that other cities across the river would be eligible.

Mr. WHITTINGTON. No; I stated Cincinnati would not be eligible for a loan of sixteen or eighteen million dollars so that it could take up substantially one-fifth or one-tenth of the entire organization. We limit the amount that may be lent to \$200,000 so the large municipalities may be able to construct their own sewage disposal work.

Mr. Speaker, I yield such time as he may desire to the gentleman from Texas [Mr. COMBS].

Mr. COMBS. Mr. Speaker, stream pollution has proceeded in our country to a point where something has to be done about it. The pending bill does not go as far as I would like to see it go but it is a good beginning and I shall support it. Legislation on the subject is long overdue. I express the hope that with this beginning, inadequate as I believe it is, we will be launching a program that in time will stop stream pollution and restore the beauty and usefulness of our waterways, large and small.

(Mr. COMBS asked and was given permission to revise and extend his remarks.)

Mr. WHITTINGTON. Mr. Speaker, I yield the remainder of my time to the gentleman from Texas [Mr. PICKETT].

(Mr. PICKETT asked and was given permission to revise and extend his remarks.)

Mr. PICKETT. Mr. Speaker, may I say that the members of the Subcommittee of the Committee on Public Works who handled this legislation have done a superior job on the subject they are working with. This bill, if we must have such a law enacted, is far superior to anything I have seen suggested either in this body or the other body. But I want to call the attention of the Members of the House to the simple fact that there is no new remedy provided in this legislation for correction of the ills that

are confronting places in this country where there is stream pollution except the remedy of financial aid from the Federal Government, so far as I can tell.

Mr. MCGREGOR. Mr. Speaker, will the gentleman yield?

Mr. PICKETT. I yield to the gentleman from Ohio.

Mr. MCGREGOR. Do we not give a remedy in here by giving the facilities of research of the Federal Government to those interested?

Mr. PICKETT. There is not any question that you provide for research; however, you do not provide any remedy except authorization for Federal money. You may enlarge on the scope of activities by the Federal Government to any extent desired, within the limits of the Constitution. You cannot escape the results of such an enlargement; some of which are to increase bureaucracy, the number of employees required to discharge the functions authorized, additional influence and intrusion by the Federal Government through its departments on the affairs of States and local communities and compound the intrusion of bureaucracy into the every day functions of State and municipal government and the citizens of the United States. If that is what the Congress desires to do, it can be accomplished by the majority.

The hearings on the several bills introduced in the House, which took place last year, occurred before it was my privilege to be a member of the committee. Nevertheless I have studied the various proposals and given more than passing attention to the hearings. Let me call your attention to the fact that on page 142, et seq., there is a table showing what States have enacted laws relative to water pollution control. The table gives other pertinent information. According to my count, 38 of the 48 States in the Union have enacted laws directed toward the control of water pollution and have designated agencies to supervise the work. Thirty-seven of the thirty-eight States permit the issuance of orders and court action under the law. In only 14 of those 38 States is it indicated the law has any deficiency. Most of the criticisms of the various State laws are directed toward the penalty provided for the violation of them. Therefore, at least half the States of the Union have State laws dealing with the water pollution problem that are found to be satisfactory.

It is my information that one of the most serious areas of stream pollution in the United States is the Ohio River. I am also informed that an interstate compact for eight States which the Ohio River and its tributaries border or flow through has been authorized for a number of years, but the States have effected no adequate remedy. There is some indication, therefore, that the several States involved have recognized the existence of a problem, but have failed to supply the remedy because of their own inaction. Could the reason be that notwithstanding we have heard from some of the Representatives of some of those States an expressed opposition to Federal in-

trusion into State affairs and Federal bureaucracy to control them those States have been awaiting the opportunity to seek a remedy from the Federal Government?

The hearings on the bills pending before the House Committee on Public Works are replete with evidence that those who spoke for a number of the groups who expressed favorable interest in Federal legislation on water pollution, as well as official representatives from some of the States who appeared before the committee, have no interest in or desire for Federal legislation on this subject unless it authorized a Federal grant-in-aid or some other subsidy. This bill does not satisfy such seekers. I am glad it does not.

I think the bill does go a little further than it should in some respects and does not limit the scope of Federal activity sufficiently in other respects. I shall not discuss all of the objections. One of the major ones of concern to me is the failure of the legislation to limit specifically the extent of activity that may be carried on under the definition of "interstate waters." A number of suggestions can be made to effect the purpose. One of them, to provide that the term "interstate waters" means all rivers, lakes, and other waters, and their tributaries, that flow across or form a part of, State or international boundaries; not including tributaries which flow entirely within the boundaries of a State. Then follow that definition by a definition of "intrastate waters" to mean all rivers, lakes, and other waters, or any tributary thereof, which drain or drains an area lying within the boundaries of a State.

The definitions so limiting the meaning of "interstate waters" would eliminate from Federal intrusion and supervision such streams as the Brazos, Colorado, and Trinity Rivers in Texas. Likewise, it would prevent Federal encroachment into the efforts of many of the other States whose antipollution laws are deemed to be satisfactory.

The remedy for pollution lies in the enactment and active enforcement of State laws, as well as the enactment of interstate compacts designed to give aid in the solution of the problem. The remedy is through the legislatures of the several States rather than from Washington. That is aside from the fact that under the laws now in existence a remedy is provided by proper court proceedings for an aggrieved party to file suit and establish his need for relief in a proper forum where it can be secured.

I am sorry time does not permit me to discuss the matter fully. I close with the observation that once the door is open it is far too easy to get this or some succeeding Congress to enlarge greatly upon the purpose of this law and ultimately permit outright Federal control through bureaucratic dictatorship. Such an enlargement on the authorization could result in nothing other than the appropriation of several billions of dollars like that which would be possible if the last Mundt bill were to be enacted into law.

Mr. MCGREGOR. Mr. Speaker, I yield such time as he may desire to the gentleman from New Jersey [Mr. HAND].

(Mr. HAND asked and was given permission to revise and extend his remarks.)

Mr. HAND. Mr. Speaker, the pending bill, S. 418, as completely amended by the House committee, in my opinion, suffers from two major defects: First, it is inadequate; and, second, it is very expensive. I must associate myself with the remarks just made by the gentleman from South Dakota [Mr. MUNDT]. He seems to be of the same opinion and suggests, as I do, that this bill lie over until we can get a law with real teeth in it and at far less expense.

The question is, Are we going to provide for the prevention of pollution, both in streams or on ocean shores—which is also important—or are we going to say, as this bill does, that whatever remedy we do attempt to provide is provided by the old familiar remedy of spending more Government money? It seems to me the way to stop pollution in coastal areas and interstate waters is to prohibit it, and to put the burden on those who are polluting it to devise means to stop the damage they are doing. That is certainly not the method adopted by the pending bill.

My own bill, H. R. 5266, I believe to be the sounder approach. To the best of my knowledge, it has not been given real consideration by the committee, and I believe the committee opposes it, or at least parts of it. I shall, nevertheless, continue to press for it at the first opportunity. My bill is endorsed by the National Coast Antipollution and Conservation League and others who are vitally interested in preventing further pollution. It is necessary to take a stronger line against pollution—a menace to our national assets and resources.

Mr. MCGREGOR. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Speaker, I think I can assure the gentleman from Texas that this bill will not be such a tremendous boon to anyone, especially to the small cities along the rivers. In my own district, which runs about 150 miles along the Ohio, there are several small communities that will have to struggle to the very limit to meet the terms of this bill. I have, as other gentlemen have indicated here, been very much interested in this legislation for years. We have had it before the committee of the House in some form or another for years. We have done practically everything in the world in our endeavor to clean up these streams. While this is a tremendous undertaking, we must not lose sight of the fact that the results will be tremendously important if we can do what should be done.

Mr. Speaker, I am glad of this opportunity to support this legislation.

Mr. ELSTON. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Ohio.

Mr. ELSTON. It is a fact, is it not, that if a municipality under this bill makes a loan, it can only borrow one-third of the amount it proposes to expend?

Mr. JENKINS of Ohio. Yes; and these small municipalities along the Ohio River will have difficulty in meeting that situation.

Mr. BATES of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. I would like to ask the chairman of this committee whether or not there is anything in this bill, or how the language can be interpreted, concerning the setting up of State compacts.

Mr. MCGREGOR. Under this legislation we are not interfering with that in any way.

Mr. BATES of Massachusetts. But there is no grant except for the making of surveys, studies, research, and so forth.

Mr. MCGREGOR. Let me refer to page 19, line 7:

The consent of the Congress is hereby given to two or more States to negotiate and enter into agreements or compacts not in conflict with any law or treaty of the United States.

Mr. BATES of Massachusetts. My only other question is whether or not there is any direct grant except for surveys and studies.

Mr. MCGREGOR. There is not, except for research, which includes, of course, surveys and studies. The rest of it is in loans.

Mr. BATES of Massachusetts. I thank the gentleman.

Mr. MCGREGOR. Mr. Speaker, I yield such time as he may desire to the gentleman from Maine [Mr. HALE].

(Mr. HALE asked and was given permission to revise and extend his remarks.)

Mr. HALE. Mr. Speaker, it seems to me regrettable that this bill (S. 418) is being brought up at this time under suspension of the rules. The whole subject of water pollution is of the greatest interest and concern to my State. I had no notice that this bill was coming up this week. I have had no opportunity to give it study and no opportunity to communicate about it with the public authorities in my State or with interested individuals.

It may be that this measure is quite as unobjectionable as its advocates contend. However, it is a complicated piece of legislation in a field where legislation cannot be easy and where State, municipal, and private interests are involved, as well as the Federal interest, and there should be an apt apportionment of burdens and responsibilities under any legislation. I cannot tell from a casual study whether this bill does aptly apportion the burdens. Therefore, I feel constrained to vote against it. It should certainly have come here under a rule in the normal way, or else it should not come at all. There is no immediate emergency which requires the passage of this bill. It could easily go over till the next Congress.

Mr. MCGREGOR. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Ohio [Mr. MCGREGOR] that the rules be suspended and that the bill be passed.

The question was taken; and on a division (demanded by Mr. MUNDT) there were—ayes 138, noes 14.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

House Joint Resolution 641 was laid on the table.

EXTENSION OF REMARKS

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at the point immediately preceding the vote on House Joint Resolution 296.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SPENCE and Mr. BARRETT asked and were given permission to revise and extend their remarks.

Mr. CASE of South Dakota asked and was given permission to extend his remarks in the RECORD and include a copy of the Supreme Court decision upholding the constitutionality of the renegotiation statute.

Mr. SARBACHER asked and was given permission to extend his remarks in the RECORD immediately following the passage of the bill H. R. 5053, providing for the establishment of the Philadelphia National Historical Park.

Mr. VORYS asked and was given permission to extend his remarks in the RECORD and include an address he delivered at Otterbein College a week ago.

Mr. LEMKE asked and was given permission to extend his remarks in the RECORD and include an article appearing in Today's World.

Mr. MARTIN of Iowa asked and was given permission to extend his remarks in the RECORD and include quotations and various authorities in opposition to the draft.

Mr. CROW asked and was given permission to extend his remarks in the RECORD and include an article entitled "The Taft-Hartley Law Makes a Hit."

Mr. LEA (at the request of Mr. PRIEST) was given permission to extend his remarks in the RECORD.

Mr. ISACSON asked and was given permission to extend his remarks in the RECORD.

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

[Mr. SIKES addressed the House. His remarks will appear hereafter in the Appendix.]

SPECIAL ORDER GRANTED

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent that on tomorrow, following any special orders heretofore entered, I may be permitted to address the House for 1 hour.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

EXTENSION OF REMARKS

Mr. ENGEL of Michigan. Mr. Speaker, I ask unanimous consent that the special order granted me for today be vacated and that I be permitted to extend my remarks at this point in the RECORD and include certain tables and studies I have prepared, in the form in which they are submitted.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ARMY HOUSING COSTS IN ALASKA

Mr. ENGEL of Michigan. Mr. Speaker, the House of Representatives passed an Army-Navy construction authorization bill recently, authorizing the expenditure of \$416,000,000 for that purpose.

I am firmly convinced that the Army needs more housing. However, there never was a time during the 14 years I have served in Congress, 12 of which I have served on the War Department Subcommittee of the Appropriations Committee, when I thought that the taxpayers were getting a dollar's worth of housing for the tax dollar. For some months past I have been studying Army housing in Alaska and other overseas area. Other work on the Appropriations Committee has prevented my finishing the work I began. However, I have progressed far enough in my studies of Army housing in Alaska to make a preliminary report of costs and to give some of my ideas of what we can do about it.

Alaska is today the key position to our national defense. We have to have adequate housing for troops as well as individual housing in Alaska. However, costs as they are today are almost if not prohibitive even when we take into consideration the importance of the program. I shall confine my remarks today entirely to Alaska and shall take up other phases at a later date. I want to discuss the subject in the following order:

First. What is the construction program in Alaska?

Second. Are construction costs, particularly housing costs too high in Alaska?

Third. If so, just why is the cost of such housing too high?

Fourth. Just what, if anything, can we do about it?

WHAT IS THE CONSTRUCTION PROGRAM IN ALASKA AND WHERE ARE THE FUNDS COMING FROM?

The Army proposes to spend \$164,533,000 for construction of all kind in Alaska, of which \$88,957,000 is now available. Of this amount \$68,519,000 has been spent up to January 31, 1948. This leaves a balance of \$20,438,000 out of the \$88,957,000 available after January 31, 1948. Of course considerable of this balance has been spent since that time. It also leaves a balance of \$75,576,000 out of the \$164,533,000 to be appropriated for if the program is to be carried out. The following is a break-down table:

Costs, construction only

	Cost to Jan. 31, 1948	To complete	Total
Completed items	\$13,304,000	-----	\$13,304,000
Active items	25,454,000	\$28,566,000	54,020,000
Supplemental bill items	15,186,000	31,867,000	47,053,000
Deferred items	14,575,000	35,581,000	50,156,000
	68,519,000	96,014,000	164,533,000

WHAT IS THE SOURCE AND AMOUNT OF FUNDS AVAILABLE FOR ALASKA CONSTRUCTION PROGRAM?

The following table gives the amount and source of funds now available for Alaska construction program. Exhibit A gives a statement of funds available.

Source and amount of funds available for Alaska construction program

FISCAL YEAR 1946 FUNDS	
From Military Appropriation Act, 1946, approved July 3, 1945—Public Law 126. (Released from budgetary reserve May 1946)-----	\$25,000,000
Withheld for contractors' fees and design costs-----	1,293,000
Fiscal year 1946 net for construction-----	23,707,000
From de-obligated fiscal year 1946 ESA funds—for construction-----	23,045,000
Value of Government-furnished materials-----	1,749,000
Fiscal year 1946 funds---	48,501,000

FISCAL YEAR 1947 FUNDS	
From Military Appropriation Act, 1947, approved July 16, 1946—Public Law 515. Received August 1947-----	\$46,900,000
Withheld for contractors' fees, design costs, permafrost investigations and cost of supervision and administration of construction-----	6,444,000
Fiscal year 1947 net for construction-----	40,456,000

FISCAL YEAR 1948 FUNDS	
Funds borrowed from Military Appropriation Act, 1948—Public Law 267, approved July 30, 1947-----	\$2,500,000
Withheld for supervision and administration of prior years' construction program-----	2,500,000
Fiscal year 1948 net for construction-----	0
Total funds available for construction-----	88,957,000

ARE CONSTRUCTION COSTS TOO HIGH IN ALASKA?

I shall give the Congress the facts as to construction costs in Alaska. The Members can then determine for themselves whether I am right when I say that such costs are excessive and extremely high.

I shall give you costs of constructing family housing units at Fort Richardson and at Ladd Field. Fort Richardson is on the ocean side of the mountain range while Ladd Field is on the other side of the range some 400 miles distant. The Alaska Railroad, owned by the Government, connects the two locations. Costs given herein include every cost, such as transportation, building of temporary

camps for workers, and so forth. This includes construction only up to and within 5 feet of the building foundation. The following are the costs taken from the tables attached hereto as exhibits A to D. At Fort Richardson—on ocean side of mountain range—we are now building—

CONSTRUCTION ONLY, 1947 FUNDS

(a) Fifty-six noncommissioned officers' family quarters at a total cost of \$2,632,000, or an average cost of \$47,000 per family unit.

(b) Forty-man bachelor officer quarters at a total cost of \$767,000, or an average cost of \$19,175 per officer.

(c) Thirty-four civilian quarters at a total cost of \$2,012,000, or at an average cost of \$59,000 per family unit.

(d) Two enlisted men's barracks for 500 men each or for 1,000 men for the two barracks, \$13,257,000, or at an average cost of \$13,257 per enlisted man.

(e) Sixteen family quarters for noncommissioned officers, total cost \$748,000, or \$46,700 per family unit.

(f) Officers' mess for 400 officers at a total cost of \$644,000, or an average cost of \$1,610 per officer.

(g) Civilian mess for 400 men, total cost, \$453,000, or an average of \$1,130 per man.

CONSTRUCTION ONLY, 1947 FUNDS

(h) Bachelor noncommissioned officers' quarters, 4 buildings for 40 men each or for a total of 160 men, total cost, \$1,856,000, or an average cost of \$11,600 per man.

(i) Bachelor noncommissioned officers' quarters, 1 building for 40 men, total cost, \$465,000, or an average of \$11,560 per man.

(j) Civilian family quarters, 45 buildings to accommodate 2 families each or a total of 90 families, total cost, \$4,899,000, or \$54,400 per family unit.

(k) One enlisted men's barracks to accommodate 500 men, total cost, \$6,733,000, or \$13,466 per man.

(l) Bachelor civilian quarters, 2 buildings to accommodate 40 men each or a total of 80 men, total cost \$971,000 or an average of \$12,100 each.

(m) Family quarters for 24 company officers, total cost \$1,266,000 or \$52,700 per officer.

(n) Family quarters for 12 field officers, total cost \$739,000 or an average of \$61,600 per officer.

LADD FIELD CONSTRUCTION, 1946 FUNDS, ACROSS MOUNTAIN RANGE

(a) Thirty-two family quarters for noncommissioned officers, total cost of \$1,798,000 or an average cost of \$56,200 per family unit.

(b) Twenty-four civilian family quarters total cost \$1,424,000 or an average of \$59,400 per family unit.

(c) Forty bachelor officer quarters, total cost \$634,000 or an average of \$15,850 per bachelor officer.

(d) One enlisted men's barracks for 500 men, total cost \$7,765,000 or \$15,530 per man.

(e) Bachelor civilian quarters for 40 men, total cost \$772,000 or \$19,300 per bachelor.

27. FOREIGN AID APPROPRIATION BILL. Passed, 60-9, with amendments this bill, H. R. 6801 (pp. 8565-80). As passed by the Senate, the appropriations would be for a 12-months period and would be as follows: Economic cooperation, \$4,000,000,000; government and relief in occupied areas, \$1,325,000,000; assistance to China, \$460,000,000; assistance to Greece and Turkey, \$250,000,000; International Children's Emergency Fund, \$20,000,000; and International Refugee Organization, \$70,710,228. The Senate increased the limitation on farm-machinery purchases from \$50,000,000 to \$75,000,000; inserted a provision that none of these funds be used for purchases of wool other than from CCC stocks until such stocks are exhausted; struck out the requirement that at least \$65,000,000 be used for nonfat dry milk solids; and removed the provision banning purchase of commodities for the program at prices higher than those in the U. S., but the committee report includes a statement which is quoted below. All these were committee amendments. In addition, agreed to an amendment by Sen. Morse, Oreg., to require the ECA Administrator and the Army Secretary to adjust export allotments of fertilizer materials and compounds by taking into account domestic needs of anhydrous ammonia to the end of supplying domestic fertilizer plants with enough of it to meet domestic fertilizer needs (p. 8579).

Excerpts from committee report:

Prices. "The committee believes that no funds made available under this act should be used to purchase commodities, except under limited special circumstances, at more than the current market price in the United States at the time of the purchase, making adjustments for differences in the cost of transportation to destination, quality, and terms of payment. Limited deviation from this rule will be justified in special situations as, for example, for off-shore purchases when purchases in the United States might materially force up the market price because of insufficient supply, or in which the Department of Commerce might feel that export licenses should not be granted, or for domestic purchases from the Commodity Credit Corporation.

"The committee recognizes that any direct prohibition of such purchases would present an almost insurmountable task of policing if every transaction made through private channels is to be checked. Some check might be furnished by requiring a certificate from the supplier that the price charged by him was not in excess of the current market price at the time.

"Some deviations from this general price policy will normally occur in the ordinary course of business. However, the Administrator is expected to limit strictly material deviations from this general price policy. Flagrant or constant violation shall be considered by him as reason to employ sanctions contained in section 118 of the act."

Fertilizers. "The committee has refused to recommend an amendment requested by the Army to allow the use of occupied area funds for the expansion of fertilizer plants in this country. It was brought to the attention of the committee that the Army has been negotiating many months for a lease of one of four of the plants involved in the Army plans. The several prospective lessees have offered to increase the production of fertilizer to the amount contemplated by the Army. It is the opinion of the committee that these plants should be leased as soon as feasible on terms favorable to the Government, and that the Army should not attempt to manufacture fertilizer for itself on a cost-plus contract basis where the Army facilities can be leased to private enterprise with profit to the Government.

Sens. Bridges, Gurney, Brooks, Reed, McKellar, Hayden, and Thomas of Okla. were appointed conferees on the bill (p. 853Q).

28. GOVERNMENT CORPORATIONS APPROPRIATION BILL. Passed with amendments this bill, H. R. 6481 (pp. 8504, 8507-48). Sens. Ferguson, Reed, Wherry, McKellar, and Russell were appointed conferees (p. 8548). Agreed, 45-37, to a committee amendment including \$4,000,000 for a TVA steam plant (pp. 8507-40). Several Senators discussed the FCA items (pp. 8540-2). Agreed to an amendment by Sen. Cooper, Ky., to provide that the \$20,000,000 of production credit corporation funds be returned to the revolving fund instead of the Treasury (pp. 8546-7).
29. FARM PROGRAM. Began debate on S. 2318, the Aiken long-range farm-program bill (pp. 8553-65). The time was taken by an explanation of the bill, by Sen. Aiken. Debate on this bill is to continue today.
30. WATER POLLUTION. Senate conferees were appointed on S. 418, to control water pollution through the Public Health Service (pp. 8550-3).
31. NAVAL APPROPRIATION BILL. Passed as reported this bill, H. R. 6772; and conferees were appointed (pp. 8554-8).
32. OLEOMARGARINE TAXES. Voted, 57-26, in favor of a motion by Sen. Fulbright, Ark., to take up H. R. 2245, which would repeal oleo taxes. Sen. Langer, N. Dak., then offered an anti-lynching rider, and no action was taken on the bill (pp. 8499-502).
33. FOREST LANDS. The Agriculture and Forestry Committee reported without amendment S. 2816, to direct the Secretary of Agriculture to convey a small tract of forest land to Oklahoma for the construction of a dam (S.Rept. 1628) (p. 8487).
34. PERSONNEL. The Post Office and Civil Service Committee reported without amendment H.R. 6454, to amend the Civil Service Retirement Act so as to provide annuities for certain Federal employees who have rendered at least 20 years of service in the investigation and apprehension of persons suspected or convicted of offenses against the U.S. (S.Rept. 1668) (p. 8489).
The Post Office and Civil Service Committee reported without amendment H.R. 4917, to provide further benefits for certain employees of the U.S. who are veterans of World War II and lost opportunity for probational civil-service appointments by reason of their service in the armed forces of the U.S., and who, due to service-connected disabilities, are unable to perform the duties of the positions for which examinations were taken (S.Rept. 1680) (p. 8489).
The Post Office and Civil Service Committee reported without amendment S. 2740, to amend the Civil Service Retirement Act relative to the naming of beneficiaries prior to April 1, 1948 (S.Rept. 1685) (p. 8553).
35. VETERANS' BENEFITS. The Labor and Public Welfare Committee reported with amendment S. 2790, to amend the Servicemen's Readjustment Act so as to provide a secondary market for GI loans (S.Rept. 1701) (p. 8553).
36. ASSISTANT SECRETARIES. The Foreign Relations Committee reported an original bill, S. 2869, continuing the authority for the appointment of two additional Assistant Secretaries of State for 1 year (S.Rept. 1683) (p. 8553).

The PRESIDING OFFICER. The conference report will be read.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1853) to authorize the Coast Guard to establish, maintain, and operate aids to navigation, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That in order to aid navigation and to prevent disasters, collisions, and wrecks of vessels and aircraft, the Coast Guard is authorized to establish, maintain, and operate—

"(a) aids to maritime navigation required to serve the needs of the armed forces or of the commerce of the United States;

"(b) aids to air navigation required to serve the needs of the armed forces of the United States as requested by the Secretary of the appropriate Department within the National Military Establishment; and

"(c) Loran stations (1) required to serve the needs of the armed forces of the United States; or (2) required to serve the needs of the maritime commerce of the United States; or (3) required to serve the needs of the air commerce of the United States as determined by the Administrator of Civil Aeronautics.

"Sec. 2. The Coast Guard in establishing, maintaining, or operating any aids to air navigation herein provided shall solicit the cooperation of the Administrator of Civil Aeronautics to the end that the personnel and facilities of the Civil Aeronautics Administration will be utilized to the fullest possible advantage. Before locating and operating any such aid on military or naval bases or regions, the consent of the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, as the case may be, shall first be obtained. No such aid shall be located within the territorial jurisdiction of any foreign country without the consent of the government thereof. Nothing in this Act shall be deemed to limit the authority granted by the provisions of section 77 of the Act of January 12, 1895 (28 Stat. 621), or by section 5 (f) of the Air Commerce Act of 1926 (49 U. S. C. 175), or by title III of Civil Aeronautics Act of 1938, as amended (49 U. S. C. 451 and the following).

"Sec. 3. Such aids to navigation other than Loran stations shall be established and operated only within the United States, its Territories and possessions, and beyond the territorial jurisdiction of the United States at places where naval or military bases of the United States are or may be located, and at other places where such aids to navigation have been established on the date of the enactment of this Act."

And the House agree to the same.

OWEN BREWSTER,
A. W. HAWKES,
HOMER CAPEHART,
ED C. JOHNSON,
ERNEST W. MCFARLAND,

Managers on the Part of the Senate.

S. O. BLAND,
EDW. J. HART,
T. MILLET HAND,
HENRY J. LATHAM,
ALVIN F. WEICHEL,

Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the conference report?

There being no objection, the report was considered and agreed to.

PROGRAM IN FIELD OF LIGHTER-THAN-AIR AERONAUTICS—CONFERENCE REPORT

Mr. BREWSTER. Mr. President, I submit a conference report on House bill 6628, to provide for a program in the field of lighter-than-air aeronautics under the direction of the United States Maritime Commission, and for other purposes, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The conference report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6628) to provide for a program in the field of lighter-than-air aeronautics under the direction of the United States Maritime Commission, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 3 and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That the United States Maritime Commission is authorized and directed to study, and plan for, experimental lighter-than-air rigid airship construction and operation. The Commission shall report to the Congress as soon as practicable in the first regular session of the Eighty-first Congress the results of its study with such recommendations for further legislation as it may consider desirable and feasible for the development and operation of lighter-than-air rigid airships for commercial use."

And the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"Sec. 2. The United States Maritime Commission shall receive the assistance and cooperation of any executive department, independent establishment, or other agency of the Government, and may avail itself of the use of information, services, facilities, officers, and employees thereof in conducting the study provided for in this Act."

And the Senate agree to the same.

OWEN BREWSTER,
A. W. HAWKES,
HOMER CAPEHART,
ED. C. JOHNSON,
ERNEST W. MCFARLAND,

Managers on the Part of the Senate.

S. O. BLAND,
EDW. J. HART,
T. MILLET HAND,
HENRY J. LATHAM,
ALVIN F. WEICHEL,

Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

There being no objection, the report was considered and agreed to.

FORT HALL INDIAN IRRIGATION PROJECT, IDAHO

Mr. WATKINS. Mr. President, I submit a conference report on House bill 5416, to promote the interests of the Fort Hall Indian irrigation project,

Idaho, and for other purposes, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The conference report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5416) to promote the interests of the Fort Hall Indian irrigation project, Idaho, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, as follows: In lieu of the matter inserted by the Senate amendment insert the following:

"That those provisions of the order of the Secretary of the Interior, dated February 6, 1948, which are based on certain recommendations contained in the Report on Conditions Found to Exist on the Fort Hall Irrigation Project and the Fort Hall Indian Reservation, Idaho, dated February 26, 1941, and which are described in the said order as made pursuant to the authority contained in the Act of June 22, 1936 (49 Stat. 1803), are hereby approved pursuant to the provisions of such Act.

"Sec. 2. During such periods as water for the Fort Hall Indian irrigation project may be available in excess of the present duty of three acre-feet per acre per annum, the Secretary of the Interior is authorized, in his discretion and under regulations to be prescribed by him, to permit the delivery of such excess water equally to the project lands in an amount not to exceed five-tenths acre-feet per acre per annum, in addition to the present duty of three acre-feet per acre per annum: *Provided, however,* That any surplus water temporarily available in addition to the three and five-tenths acre-feet per acre per annum may be furnished for use on project lands on terms, conditions, and rates to be prescribed by the Secretary of the Interior.

"Sec. 3. The Little Indian Unit containing one thousand one hundred eighty-six and thirty-three one-hundredths acres of irrigable land in townships 2 and 3 south, ranges 36 and 37 east, Boise meridian, within the boundaries of the Fort Hall Indian Reservation, is hereby made a part of the Fort Hall Indian Irrigation project and the lands therein shall have the benefit of, and be subject to, all existing legislation applicable to said project to the same extent as other lands of like ownership and character within the project. The Indian-owned irrigable land in the unit shall be charged with its proper proportionate share of the project rehabilitation and improvement costs of \$15.10 and not to exceed \$7.50 per acre, respectively, as these costs are defined in the report referred to in section 1 of this Act. The non-Indian-owned irrigable land of the unit shall be entitled to receive only natural-flow water until a full project water right is acquired for said land through the execution by the owner of a contract, or contracts, providing for the repayment to the United States of like per-acre costs as are charged against the Indian-owned land in the unit. Said charges, as to Indian and non-Indian lands, shall be a first lien against the lands, under the Act of March 7, 1928 (45 Stat. 200, 210).

"Sec. 4. The net irrigable area of the Fort Hall Indian irrigation project is hereby established as forty-seven thousand and forty-four and sixty-three one-hundredths acres of land, more or less. This area includes the forty-six thousand eight hundred and three and seventy-two one-hundredths acres of land, more or less, shown as the

irrigable area of the project by the maps and plats in the report referred to in section 1 of this Act, and the two hundred and forty and ninety-one one-hundredths acres, more or less, included in eight additional tracts of land described as follows: (a) An irregular shaped area in the northeast corner of the east half southwest quarter southeast quarter of section 36, township 5 south, range 33 east, Boise meridian, containing one and seventy one-hundredths acres; (b) an irregular shaped area lying along the east side of the Fort Hall Main Canal in the west half of section 35, township 5 south, range 34 east, Boise meridian, containing twenty-eight and seventeen one-hundredths acres; (c) an irregular shaped area lying along the east side of the Fort Hall Main Canal in the south half of section 14, township 6 south, range 34 east, Boise meridian, containing forty acres; (d) a portion of the northwest quarter northeast quarter of section 23, township 6 south, range 34 east, Boise meridian, containing thirty-three and forty-two one-hundredths acres; (e) Fairview Park in the east half southwest quarter southwest quarter northeast quarter and west half southeast quarter southwest quarter northeast quarter of section 23, township 6 south, range 34 east, Boise meridian, containing ten acres; (f) the east half northeast quarter northwest quarter of section 23, township 6 south, range 34 east, Boise meridian containing twenty acres; (g) an irregular shaped area lying along the east side of the Pocatello lateral in section 23, township 6 south, range 34 east, Boise meridian, containing ninety-seven sixty-two one-hundredths acres; and (h) the southwest quarter southwest quarter southwest quarter of section 24, township 6 south, range 34 east, Boise meridian, containing ten acres. The above-described tracts of land, together with such lands in the portion of the village of Alameda lying between the Pocatello lateral and the Oregon Short Line Railroad right-of-way in section 23, township 6 south, range 34 east, Boise meridian, as (notwithstanding their inclusion in the irrigable acreage shown by the maps and plats hereinabove mentioned) have no water right at present, shall be entitled to receive, or to continue to receive, water through pumping operations or by gravity flow, provided the respective owners thereof, within five years from the date of the enactment of this Act, enter into contracts whereby they agree (1) to pay their proper proportionate share of the project construction costs of \$18.12 per acre, as these costs are defined in the report referred to in section 1 of this Act, for such of their lands as do not now have a project water right, (2) to pay their proper proportionate share of the project rehabilitation and improvement costs of \$15.10 and not to exceed \$7.50 per acre, respectively, for such of their lands as are not now covered by contracts for the repayment of such costs, and (3) to install, maintain, and operate, at their own expense, pumping machinery to lift the water from the project canals or laterals for the irrigation of such of their lands as cannot be supplied by gravity flow. The noninclusion of the Fort Hall town site within the net irrigable area of the project as hereby established shall not prevent the obtaining of water rights therefor in accordance with the Act of March 1, 1907 (34 Stat. 1015, 1025).

"SEC. 5. There is excluded from the Fort Hall Indian Irrigation project by the designation of the project area in section 4 of this Act the nine thousand six hundred and seventy acres of tribal, allotted, and non-Indian-owned lands located between Fort Hall and Gibson, Idaho, heretofore authorized to be included in the project by the Act of March 3, 1927 (Ch. 371, 44 Stat. 1398). The construction costs apportioned to the tribal lands so excluded are hereby canceled and the water rights are made available for

project use. The water rights for the lands of the several allottees and non-Indian owners within the area so excluded shall not be impaired or affected by reason of such exclusion, but water shall be delivered only at the head of the laterals serving these lands. The respective owners of such lands may make their water rights available for project use, whereupon the construction costs assessed or assessable against their lands with respect to the water rights thus made available shall be canceled by the Secretary of the Interior. Allottees of lands within the excluded area, or their heirs or devisees, may donate or sell their lands to the tribe or may exchange their lands for assignments of tribal lands within the project area. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, \$8,000, or so much thereof as may be necessary, for the purchase by the Secretary of the Interior, in the name of the United States of America in trust for the Shoshone-Bannock Tribes of the Fort Hall Reservation, of one hundred and eighty acres of non-Indian-owned land, with water rights and improvements appurtenant thereto, described as the north half southeast quarter southwest quarter section 13, township 4 south, range 34 east, Boise meridian, and south half northeast quarter and north half southeast quarter section 7, township 4 south, range 35 east, Boise meridian, located within the area excluded from the Fort Hall Indian Irrigation project by section 4 of this Act.

"SEC. 6. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$3,995 to compensate the following-named landowners, or their heirs, for work accomplished or for future work necessary in filling, leveling, and otherwise preparing for irrigation the abandoned portion of the old Fort Hall Main Canal within their holdings, in not to exceed the following amounts: Frank E. DeKay, \$401; Henry Jensen, \$633; Theodore H. Gathe, \$654; A. E. Albert, \$106; Ezra D. Wilson, \$127; J. M. Bistline, \$378; Ambrose H. McGuire, \$424; Ellen Griffith, \$412; C. M. Allen, \$116; Olive A. Granden, \$184; William Webster, \$28; Hiram Faulkner, \$114; Williamette Blakeslee, \$298; Frank Parker, \$99; and Henrietta C. Blakeslee, \$21.

"SEC. 7. Pending the construction of a siphon to provide gravity flow water to ninety-six and six-tenths acres of irrigable lands in the southwest quarter section 27, and east half section 28, township 5 south, range 34 east, Boise meridian, Idaho, which lands have been irrigated by pumping operations over a period of years, the Secretary of the Interior may accept the conveyance by the landowners of the pumping equipment for use of the Fort Hall Indian Irrigation project and may operate such equipment as a part of said project in order to provide water for the irrigation of such lands; the acceptance of such conveyance being subject to the owners of the lands executing releases to the United States of any and all claims whatsoever due to the pumping operations carried on by such landowners.

"SEC. 8. The Secretary of the Interior is authorized, in his discretion, to revise and reform, upon such terms and conditions as he may determine to be fair and equitable in all the circumstances affecting the interests of the United States and the contractors, existing contracts between the United States and the Idaho Irrigation District, the Progressive Irrigation District, and the Snake River Valley Irrigation District in Idaho, which contracts provide for certain payments by the districts to the United States for the benefit of works of the Fort Hall Indian Irrigation project.

"SEC. 9. There is authorized to be appropriated, out of any money in the Treasury of

the United States not otherwise appropriated, for refunds to Indians, or their heirs, the sum of \$1,419.55, representing irrigation assessments of the Fort Hall Indian irrigation project erroneously made and collected, as follows: Andrew F. Cutler, \$153.80; Alice Sorrell Johns, \$168.95; Nettie Stinson LaVatta, \$146.62; Earl Edmund Cutler, \$159.20; Charles Faulkner, \$145.25; Josephine LaVatta Rumas, \$155.20; May Phyllis LaVatta Brower, \$29.90; Leonard I. Cutler, \$135.85; Effie Diggle Houtz, \$122.75; Lucy Yandell Spencer, \$25; Charles Gerard Cutler, \$121.53; and Hattie Sorrell Siler Tillotson, \$55.50.

"SEC. 10. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary for the relocating, rehabilitating, cleaning, and extending of irrigation systems serving the lands irrigated from Ross Fork, Bannock, and Lincoln Creeks, which lands are outside of the Fort Hall Indian irrigation project, including the construction of a storage reservoir on Bannock Creek. The costs of any work benefiting Indian lands performed pursuant to this authorization shall be apportioned on a per acre basis and collected under laws applicable to Indian irrigable lands on the Fort Hall Indian irrigation project. Operation and maintenance charges against such lands shall likewise be subject to the same laws, rules, and regulations as apply to Indian lands on the Fort Hall project. Any unpaid charges against such lands shall be subject to a first lien as provided in the Act of March 7, 1928 (45 Stat. 200, 210). No expenditure shall be made under this authorization which will benefit lands in non-Indian ownership unless the owners thereof execute contracts providing for the repayment of their proportionate per acre share of the costs of the work assessable against their lands.

"SEC. 11. In order to prevent the accumulation of delinquent project assessments or other charges against the non-Indian-owned lands of the Fort Hall Indian irrigation project, the Secretary of the Interior is hereby authorized and directed to cause liquidation of all delinquent assessments or charges by taking such action as may be necessary, including the foreclosure of the Government's lien covering any such delinquent charges or by initiating such other procedure as may be legally available, which action may be taken by him at any time when in his judgment the best interests of the project would be served thereby.

"SEC. 12. All Acts or parts of Acts inconsistent herewith are hereby repealed."

And the Senate agree to the same.

ARTHUR V. WATKINS,
HENRY C. DWORSHAK,
JOSEPH C. O'MAHONEY,

Managers on the Part of the Senate.

RICHARD J. WELCH,
WESLEY A. D'EWART,
JOHN SANBORN,
J. HARDIN PETERSON,
JOHN R. MURDOCK,

Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the conference report?

There being no objection, the report was considered and agreed to.

WATER-POLLUTION-CONTROL ACTIVITIES IN THE PUBLIC HEALTH SERVICE

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 418) to provide for water-pollution-control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes, which was to strike

out all after the enacting clause and insert:

That in connection with the exercise of jurisdiction over the waterways of the Nation and in consequence of the benefits resulting to the public health and welfare by the abatement of stream pollution, it is hereby declared to be the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of the States in controlling water pollution, to support and aid technical research to devise and perfect methods of treatment of industrial wastes which are not susceptible to known effective methods of treatment, and to provide Federal technical services to State and interstate agencies and to industries, and financial aid to State and interstate agencies and to municipalities, in the formulation and execution of their stream-pollution-abatement programs. To this end, the Surgeon General of the Public Health Service (under the supervision and direction of the Federal Security Administrator) and the Federal Works Administrator shall have the responsibilities and authority relating to water-pollution control vested in them respectively by this act.

SEC. 2. (a) The Surgeon General shall, after careful investigation, and in cooperation with other Federal agencies, with State water-pollution agencies and interstate agencies, and with the municipalities and industries involved, prepare or adopt comprehensive programs for eliminating or reducing the pollution of interstate waters and tributaries thereof hereinafter declared to be a public nuisance and improving the sanitary condition of such interstate waters and tributaries thereof. In the development of such comprehensive programs due regard shall be given to the improvements which are necessary to conserve such waters for public water supplies, propagation of fish and aquatic life, recreational purposes, and agricultural, industrial, and other legitimate uses. For the purpose of this subsection the Surgeon General is authorized to make joint investigations with any such agencies of the condition of any waters in any State or States, and of the discharges of any sewage, industrial wastes, or substance which may deleteriously affect such waters.

(b) The Surgeon General shall encourage cooperative activities by the States for the prevention and abatement of water pollution; encourage the enactment of uniform State laws relating to water pollution; encourage compacts between States for the prevention and abatement of water pollution; collect and disseminate information relating to water pollution and the prevention and abatement thereof; support and aid technical research to devise and perfect methods of treatment of industrial wastes which are not susceptible to known effective methods of treatment; make available to State and interstate agencies, municipalities, industries, and individuals the results of surveys, studies, investigations, research, and experiments relating to water pollution and the prevention and abatement thereof conducted by the Surgeon General and by authorized cooperating agencies; and furnish such assistance to State agencies as may be authorized by law.

(c) The consent of the Congress is hereby given to two or more States to negotiate and enter into agreements or compacts, not in conflict with any law or treaty of the United States, for (1) cooperative effort and mutual assistance for the prevention and abatement of water pollution and the enforcement of their respective laws relating thereto, and (2) the establishment of such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts. No such agreement or compact shall be binding or obligatory upon any State a party thereto

unless and until it has been approved by the Congress.

(d) (1) The pollution of interstate waters in or adjacent to any State or States (whether the matter causing or contributing to such pollution is discharged directly into such waters or reaches such waters after discharge into a tributary of such waters), which endangers the health or welfare of persons in a State other than that in which the discharge originates, is hereby declared to be a public nuisance and subject to abatement as herein provided.

(2) Whenever the Surgeon General, on the basis of reports, surveys, and studies, finds that any pollution declared to be a public nuisance by paragraph (1) of this subsection is occurring, he shall give formal notification thereof to the person or persons discharging any matter causing or contributing to such pollution and shall advise the water-pollution agency or interstate agency of the State or States where such discharge or discharges originate of such notification. This notification may outline recommended remedial measures which are reasonable and equitable in that case and shall specify a reasonable time to secure abatement of the pollution. If action calculated to secure abatement of the pollution within the time specified is not commenced, this failure shall again be brought to the attention of the person or persons discharging the matter and of the water-pollution agency or interstate agency of the State or States where such discharge or discharges originate. The notification to such agency may be accompanied by a recommendation that it initiate a suit to abate the pollution in a court of proper jurisdiction.

(3) If, within a reasonable time after the second notification by the Surgeon General, the person or persons discharging the matter fail to initiate action to abate the pollution or the State water pollution agency or interstate agency fails to initiate a suit to secure abatement, the Federal Security Administrator is authorized to call a public hearing, to be held in or near one or more of the places where the discharge or discharges causing or contributing to such pollution originate, before a board of five or more persons appointed by the Administrator, who may be officers or employees of the Federal Security Agency or of the water pollution agency or interstate agency of the State or States where such discharge or discharges originate (except that at least one of the members of the board shall be a representative of the water pollution agency of the State or States where such discharge or discharges originate and at least one shall be a representative of the Department of Commerce, and not less than a majority of the board shall be persons other than officers or employees of the Federal Security Agency). On the basis of the evidence presented at such hearing the board shall make its recommendations to the Federal Security Administrator concerning the measures, if any, which it finds to be reasonable and equitable to secure abatement of such pollution.

(4) After affording the person or persons discharging the matter causing or contributing to the pollution reasonable opportunity to comply with the recommendations of the board, the Federal Security Administrator may, with the consent of the water pollution agency (or of any officer or agency authorized to give such consent) of the State or States in which the matter causing or contributing to the pollution is discharged, request the Attorney General to bring a suit on behalf of the United States to secure abatement of the pollution.

(5) Before or after any suit authorized by paragraph (4) is commenced, any person who is alleged to be discharging matter contributing to the pollution, abatement of which is sought, may, with the consent of the water pollution agency (or of any officer or

agency authorized to give such consent) of the State in which such matter is discharged, be joined as a defendant. The court shall have power to enforce its judgment against any such defendant.

(6) In any suit brought pursuant to paragraph (4) in which two or more persons in different judicial districts are originally joined as defendants, the suit may be commenced in the judicial district in which any discharge caused by any of the defendants occurs.

(7) The court shall receive in evidence in any such suit a transcript of the proceedings before the board and a copy of the board's recommendation; and may receive such further evidence as the court in its discretion deems proper. The court, giving due consideration to the practicability and to the physical and economic feasibility of securing abatement of any pollution proved, shall have jurisdiction to enter such judgment, and orders enforcing such judgment, as the public interest and the equities of the case may require. The jurisdiction of the Surgeon General, or any other agency which has jurisdiction pursuant to the provisions of this act, shall not extend to any region or areas nor shall it affect the rights or jurisdiction of any public body where there are in effect provisions for sewage disposal pursuant to agreement between the United States of America and any such public body by stipulation entered in the Supreme Court of the United States. While any such stipulation or modification thereof is in force and effect, no proceedings of any kind may be maintained by virtue of this act against such public body or any public agency, corporation, or individual within its jurisdiction. Neither this provision nor any provision of this act shall be construed to give to the Surgeon General or any other person or agency the right to intervene in the said proceedings wherein such stipulation was entered.

(8) As used in this subsection the term "person" includes an individual, corporation, partnership, association, a State, municipality, and a political subdivision of a State.

SEC. 3. The Surgeon General may, upon request of any State water-pollution agency or interstate agency, conduct investigations and research and make surveys concerning any specific problem of water pollution confronting any State, interstate agency, community, municipality, or industrial plant, with a view to recommending a solution of such problem.

SEC. 4. The Surgeon General shall prepare and publish, from time to time, reports of such surveys, studies, investigations, research, and experiments made under the authority of this act as he may consider desirable, together with appropriate recommendations with regard to the control of water pollution.

SEC. 5. The Federal Works Administrator is authorized, subject to the provisions of section 9 (c), to make loans to any State, municipality, or interstate agency for the construction of necessary treatment works to prevent the discharge by such State or municipality of untreated or inadequately treated sewage or other waste into interstate waters or into a tributary of such waters, and for the preparation (either by its engineering staff or by practicing engineers employed for that purpose) of engineering reports, plans, and specifications in connection therewith. Such loans shall be subject, however, to the following limitations: (a) No loan shall be made for any project unless such project shall have been approved by the appropriate State water pollution agency or agencies and by the Surgeon General, and unless such project is included in a comprehensive program developed pursuant to this act; (b) no loan shall be made for any project in an amount

exceeding 33⅓ percent of the estimated reasonable cost thereof, as determined by the Federal Works Administrator, or in an amount exceeding \$200,000, whichever amount is the smaller; (c) every such loan shall bear interest at the rate of 2 percent per annum, payable semiannually; and (d) the bonds or other obligations evidencing any such loan (1) must be duly authorized and issued pursuant to State and local law, and (2) may, as to the security thereof and the payment of principal thereof and interest thereon, be subordinated (to the extent deemed feasible and desirable by the Federal Works Administrator for facilitating the financing of such projects) to other bonds or obligations of the obligor issued to finance such project or that may then be outstanding.

SEC. 6. (a) The Surgeon General and the Federal Works Administrator, in carrying out their respective functions under this act, shall provide for the review of all reports of examinations, research, investigations, plans, studies, and surveys, made pursuant to the provisions of this act and all applications for loans under section 5. In determining the desirability of projects for treatment works and of approving loans in connection therewith, consideration shall be given to the public benefits to be derived by the construction thereof, the propriety of Federal aid in such construction, the relation of the ultimate cost of constructing and maintaining the works to the public interest and to the public necessity for the works, and the adequacy of the provisions made or proposed by the applicant for the loan for assuring proper and efficient operation and maintenance of the works after completion of the construction thereof.

(b) There is hereby established in the Public Health Service a Water Pollution Control Advisory Board to be composed as follows: The Surgeon General or a sanitary engineer officer designated by him, who shall be Chairman of the Board, a representative of the Department of the Army, a representative of the Department of the Interior, a representative of the Federal Works Agency, and a representative of the Department of Agriculture, designated by the Secretary of the Army, the Secretary of the Interior, the Federal Works Administrator, and the Secretary of Agriculture, respectively; and six persons (not officers or employees of the Federal Government) to be appointed annually by the President. One of the persons appointed by the President shall be an engineer who is expert in sewage and industrial-waste disposal, one shall be a person who shall have shown an active interest in the field of wildlife conservation, and, except as the President may determine that the purposes of this act will be better furthered by different representation, one shall be a person representative of municipal government, one shall be a person representative of State government, and one shall be a person representative of affected industry. The members of the Board who are not officers or employees of the United States shall be entitled to receive compensation at a per diem rate to be fixed by the Federal Security Administrator, together with an allowance for actual and necessary traveling and subsistence expenses while engaged on the business of the Board. It shall be the duty of the Board to review the policies and program of the Public Health Service as undertaken under authority of this act and to make recommendations thereon in reports to the Surgeon General. Such clerical and technical assistance as may be necessary to discharge the duties of the Board shall be provided from the personnel of the Public Health Service.

SEC. 7. There is hereby authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending

June 30, 1953, a sum not to exceed the sum of \$20,000,000 for the purpose of making loans under section 5 of this act. Sums so appropriated shall remain available until expended.

SEC. 8. (a) There is hereby authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, the sum of \$1,000,000, to be allotted equitably and paid to the States for expenditure by or under the direction of their respective State water pollution agencies, and to interstate agencies for expenditure by them, for the conduct of investigations, research, surveys, and studies related to the prevention and control of water pollution caused by industrial wastes. Sums appropriated pursuant to this subsection shall remain available until expended, shall be allotted by the Surgeon General in accordance with regulations prescribed by the Federal Security Administrator, and shall be paid prior to audit or settlement by the General Accounting Office.

(b) There is hereby authorized to be appropriated to the Federal Works Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, a sum not to exceed \$800,000 to enable the Federal Works Administrator to erect and facilities at Cincinnati, Ohio, as may be necessary for the use of the Public Health Service in connection with the research and study of pollution of interstate waters and the training of personnel in work related to the control of pollution of interstate waters. The amount authorized for this purpose shall include the cost of preparation of drawings and specifications, supervision of construction and other administrative expenses incident to the work: *Provided*, That the Federal Works Agency shall prepare the plans and specifications, make all necessary contracts and supervise construction. Sums appropriated pursuant to this authorization shall remain available until expended.

(c) There is hereby authorized to be appropriated to the Federal Works Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, a sum not to exceed the sum of \$1,000,000 to enable the Federal Works Administrator to make grants to States, municipalities, or interstate agencies to aid in financing the cost of engineering, architectural, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other action preliminary to the construction of projects approved by the appropriate State water pollution agency or agencies and by the Surgeon General. Grants made under this subsection with respect to any project shall not exceed whichever of the following amounts is the smaller: (1) \$20,000, or (2) 33⅓ percent of the estimated reasonable cost (as determined by the Federal Works Administrator) of the action preliminary to the construction of such project. Sums appropriated pursuant to this subsection shall remain available until expended.

(d) There is hereby authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, such sum (not to exceed the sum of \$2,000,000) as may be necessary to enable it to carry out its functions under this act.

(e) There is hereby authorized to be appropriated to the Federal Works Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, such sum (not to exceed the sum of \$500,000) as may be necessary to enable it to carry out its functions under this act.

SEC. 9. (a) To assist in carrying out the purposes of this act, the appointment of engineer and scientist officers may be made under the provisions of section 208 (b) (1) of the Public Health Service Act, in addition

to the appointments authorized by such section 208 (b) (1); but not more than five such additional officers shall hold office at the same time.

(b) The Federal Security Administrator, with the consent of the head of any other agency of the Federal Government, may utilize such officers and employees of such agency as may be found necessary to assist in carrying out the purposes of this act.

(c) (1) Upon written request of the Federal Works Administrator, from time to time submitted to the Federal Security Administrator, specifying (a) particular projects approved by the Surgeon General, (b) the total estimated costs of such projects, and (c) the total sum requested for loan which the Federal Works Administrator proposes to make for such projects, the Federal Security Administrator shall transfer such total sum (within the amount appropriated therefor) to the Federal Works Administrator for the making of loans for such projects pursuant to section 5 hereof. In making such loans, the Federal Works Administrator shall adhere to the order or sequence of priority for projects established by the Surgeon General and shall take such measures as, in his judgment, will assure that the engineering plans and specifications, the details of construction, and the completed treatment works conform to the project as approved by the Surgeon General; and the Federal Works Administrator shall furnish written reports to the Federal Security Administrator on the progress of the work.

(2) The Federal Works Administrator is hereby authorized (a) to hold, administer, exchange, refund, or sell at public or private sale any bonds or other obligations evidencing loans made under this act; and (b) to collect, or provide for the collection of, interest on and principal of such bonds or other obligations. All moneys received as proceeds from such sales, and all moneys so collected, shall be covered into the Treasury as miscellaneous receipts.

(d) The Surgeon General and the Federal Works Administrator are each authorized to prescribe such regulations as are necessary to carry out their respective functions under this act.

SEC. 10. When used in this act—

(a) The term "State water pollution agency" means the State health authority, except that, in the case of any State in which there is a single State agency, other than the State health authority, charged with responsibility for enforcing State laws relating to the abatement of water pollution, it means such other State agency;

(b) The term "interstate agency" means an agency of two or more States having powers or duties pertaining to the abatement of pollution of waters;

(c) The term "treatment works" means the various devices used in the treatment of sewage or industrial waste of a liquid nature, including the necessary intercepting sewers, outfall sewers, pumping, power, and other equipment, and their appurtenances, and includes any extensions, improvements, remodeling, additions, and alternations thereof;

(d) The term "State" means a State, the District of Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin Islands;

(e) The term "interstate waters" means all rivers, lakes, and other waters that flow across, or form a part of, State boundaries; and

(f) The term "municipality" means a city, town, district, or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

SEC. 11. This act shall not be construed as (1) superseding or limiting the functions, under any other law, of the Surgeon General or of the Public Health Service, or of any other officer or agency of the United States,

relating to water pollution, or (2) affecting or impairing the provisions of the Oil Pollution Act, 1924, or sections 13 through 17 of the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors and for other purposes," approved March 3, 1899, as amended, or (3) affecting or impairing the provisions of any treaty of the United States.

SEC. 12. If any provision of this act, or the application of any provision of this act to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this act, shall not be affected thereby.

SEC. 13. This act may be cited as the "Water Pollution Control Act."

Mr. REVERCOMB. I move that the Senate disagree to the amendment of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. REVERCOMB, Mr. MALONE, and Mr. McCLELLAN conferees on the part of the Senate.

ADDITIONAL REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CONNALLY, from the Committee on Foreign Relations:

S. 2691. A bill authorizing the transfer to the United States Section, International Boundary and Water Commission, by the War Assets Administration of a portion of Fort Brown at Brownsville, Tex., and adjacent borrow area, without exchange of funds or reimbursement; without amendment (Rept. No. 1684).

By Mr. O'CONOR, from the Committee on Post Office and Civil Service:

S. 2740. A bill to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended; without amendment (Rept. No. 1685);

H. R. 6293. A bill to amend the act of June 19, 1934, providing for the establishment of the National Archives, so as to provide that certain fees collected by the Archivist shall be available for disbursement in the interest of the National Archives; without amendment (Rept. No. 1687); and

H. J. Res. 305. Joint resolution authorizing the issuance of a special series of stamps commemorative of the fiftieth anniversary of the organization of the Rough Riders (First Volunteer United States Cavalry) of the Spanish-American War; without amendment (Rept. No. 1686).

By Mr. WILEY, from the Committee on the Judiciary:

S. 617. A bill for the relief of Richard T. Charette; without amendment (Rept. No. 1688);

S. 2049. A bill for the relief of the Alamo Irrigation Co.; with an amendment (Rept. No. 1689);

H. R. 851. A bill for the relief of Adney W. Gray; without amendment (Rept. No. 1690);

H. R. 1220. A bill for the relief of James D. Sigler and Frederick P. Vogelsand III; without amendment (Rept. No. 1691);

H. R. 1779. A bill for the relief of the Winona Machine & Foundry Co., a corporation, of Winona, Minn.; without amendment (Rept. No. 1692);

H. R. 1910. A bill for the relief of the legal guardian of Robert Lee Threatt, a minor; without amendment (Rept. No. 1693);

H. R. 2269. A bill for the relief of Frank A. Constable; without amendment (Rept. No. 1694);

H. R. 2431. A bill for the relief of the estate of David Jefferson Janow, deceased; without amendment (Rept. No. 1695);

H. R. 2552. A bill for the relief of Thomas A. Hanley; without amendment (Rept. No. 1696);

H. R. 3261. A bill for the relief of Capt. Carroll C. Garretson; without amendment (Rept. No. 1697);

H. R. 3427. A bill for the relief of Mrs. Mary H. Overall and Thomas I. Baker; without amendment (Rept. No. 1698);

H. R. 4644. A bill for the relief of E. Brevard Walker, trading as E. B. Walker Lumber Co.; without amendment (Rept. No. 1699); and

S. Res. 256. Resolution to refer to the Court of Claims the bill (S. 2834) for the relief of Elizabeth R. Pendleton; without amendment (Rept. No. 1700).

By Mr. TAFT, from the Committee on Labor and Public Welfare:

S. 2790. A bill to amend the Servicemen's Readjustment Act of 1944, as amended, and for other purposes; with an amendment (Rept. No. 1701);

S. 2795. A bill to provide assistance to certain local school agencies overburdened with war-incurred, or postwar national-defense-incurred enrollments; with amendments (Rept. No. 1702);

S. 2861. A bill to assist by grants-in-aid the Republic of the Philippines in providing medical care and treatment for certain veterans; with an amendment (Rept. No. 1703); and

H. R. 4816. A bill to amend section 624 of the Public Health Service Act so as to provide a minimum allotment of \$250,000 to each State for the construction of hospitals; with amendments (Rept. No. 1704).

CONTINUATION OF AUTHORITY FOR APPOINTMENT OF TWO ADDITIONAL ASSISTANT SECRETARIES OF STATE

Mr. VANDENBERG. Mr. President, from the Committee on Foreign Relations, I report an original bill, continuing the authority for the appointment of two additional Assistant Secretaries of State for 1 year, and I submit a report (No. 1683) thereon.

The PRESIDING OFFICER. The report will be received, and printed, and the bill will be placed on the Calendar.

The bill (S. 2869) continuing the authority for the appointment of two additional Assistant Secretaries of State for 1 year, was read twice by its title and ordered to be placed on the calendar.

ADDITIONAL BILLS INTRODUCED

Additional bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MAGNUSON (for himself and Mr. BUTLER):

S. 2867. A bill providing for the construction of a railroad connecting the existing railroad system serving the United States and Canada and terminating at Prince George, British Columbia, Canada, with the railroad system serving Alaska and terminating at Fairbanks, Alaska; to the Committee on Foreign Relations.

By Mr. BUTLER:

S. 2868. A bill to change the name of Culbertson Dam on the Republican River in the State of Nebraska to Trenton Dam; to the Committee on Interior and Insular Affairs.

(Mr. VANDENBERG, from the Committee on Foreign Relations, reported an original bill (S. 2869) continuing the authority for the appointment of two additional Assistant Secretaries of State for 1 year, which was ordered to be placed on the Calendar, and appears under a separate heading.)

By Mr. BROOKS:

S. 2870. A bill for the relief of Roman Szymanski; to the Committee on the Judiciary.

(Mr. MORSE (for himself, Mr. CORDON, Mr. CAIN, and Mr. MAGNUSON) introduced Senate bill 2871, to aid in the production of permanent housing in the Portland, Oreg.-Vancouver, Wash., area, which was referred to the Committee on Banking and Currency, and appears under a separate heading.)

AID IN PRODUCTION OF PERMANENT HOUSING IN PORTLAND-VANPORT AREA

Mr. MORSE. Mr. President, on behalf of the senior Senator from Oregon [Mr. CORDON], the senior Senator from Washington [Mr. MAGNUSON], the junior Senator from Washington [Mr. CAIN], and myself, I introduce for appropriate reference a bill dealing with aid in the production of permanent housing in the Portland-Vanport area. I ask unanimous consent that the bill may be printed in the body of the RECORD as a part of my remarks, and that a one-page brief statement in explanation of the bill may also be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred, and, without objection, the bill and statement will be printed in the RECORD.

The bill (S. 2871) to aid in the production of permanent housing in the Portland, Oreg.-Vancouver, Wash., area, introduced by Mr. MORSE (for himself, Mr. CORDON, Mr. CAIN, and Mr. MAGNUSON), was read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That, in order to assist in providing housing accommodations for families in the Portland-Vancouver area deprived of their homes as a result of the flood disaster, the Federal National Mortgage Association, a subsidiary of the Reconstruction Finance Corporation, is hereby authorized to purchase at a price equal to the unpaid balance plus accrued interest, any first mortgage made after the effective date of this act, and within 2 years of the date of the purchase, for the purpose of financing the building of a new residential structure or structures located in the metropolitan area of Portland, Oreg., or Vancouver, Wash., with respect to which the financial institution from which such mortgage is purchased has insurance under section 2 of the National Housing Act, as amended: *Provided*, That not more than \$10,000,000 of the funds available to the Federal National Mortgage Association shall, in the aggregate, be used for the purchase of such mortgages.

SEC. 2. Section 4 (c) of the Reconstruction Finance Corporation Act is amended by striking out "\$1,500,000,000" and inserting in lieu thereof "\$1,510,000,000."

The statement presented by Mr. MORSE is as follows:

STATEMENT ON BILL TO AID PRODUCTION OF PERMANENT HOUSING IN THE PORTLAND, OREG.-VANCOUVER, WASH., AREA

This bill would encourage the extension of necessary credit to assist in providing low cost housing urgently needed in the Portland-Vancouver area as a result of recent floods. The bill would authorize the Federal National Mortgage Association (a subsidiary of the Reconstruction Finance Corporation) to purchase first mortgages made, after the enactment of this bill, for the purpose of financing the construction of new residential structures in that area, if the financial institutions from which the mortgages are purchased have insurance under section 2 of the National Housing Act with respect to such mortgages. Any such purchase would have to be made within 2 years from the date

of the mortgage at a price equal to the unpaid balance plus accrued interest.

Under this section 2 of the National Housing Act, financial institutions may be insured against losses, up to 10 percent, on the total amount of their loans made for the purpose of financing alterations, repairs, and improvements of existing structures or financing the building of new structures. Any such loan for building a new structure (referred to as title I, class 3 loans) may not presently exceed \$3,000. Legislation (S. 866) is pending which would increase this amount to \$4,500.

The total amount of funds the bill would make available to the Federal National Mortgage Association for this purpose would be \$10,000,000, which would be provided by the Reconstruction Finance Corporation. The total amount of authorized investments, loans, purchases, and commitments of the Corporation would be increased accordingly. The bill would not require any appropriation of funds by the Congress.

LONG-RANGE AGRICULTURAL PROGRAM—AMENDMENTS

Mr. SPARKMAN submitted three amendments, Mr. RUSSELL submitted several amendments, and Mr. AIKEN submitted several amendments, intended to be proposed by them, respectively, to the bill (S. 2318) to provide for a coordinated agricultural program, which were ordered to lie on the table and to be printed.

Mr. PEPPER (for himself and Mr. DOWNEY) submitted two amendments intended to be proposed by them, jointly, to Senate bill 2318, supra, which were ordered to lie on the table and to be printed.

WITHDRAWAL OF MOTION TO RECONSIDER

Mr. JOHNSON of Colorado. Mr. President, on June 12 I entered a motion to reconsider the bill (H. R. 3214) to revise, codify, and enact into law title 28 of the United States Codes, which had passed both Houses. I desire to withdraw the motion at this time.

The PRESIDING OFFICER. Without objection, the motion referred to by the Senator from Colorado is withdrawn.

JOHN THOMAS

[Mr. BROOKS, in accordance with the terms of S. Res. 212, agreed to April 1, 1948, submitted senatorial and newspaper comment on the life, character, and public service of John Thomas, late a Senator from the State of Idaho, which appear in the Appendix.]

MURDER OF GEORGE POLK IN GREECE

[Mr. LODGE asked and obtained leave to have printed in the RECORD a resolution adopted on May 27, 1948, by the standing committee of the United Nations correspondents and editorial comment on the murder of George Polk in Greece, which appear in the Appendix.]

THE OMINOUS ATOM—POLITICS AND THE ATOM—EDITORIAL COMMENT

[Mr. McMAHON asked and obtained leave to have printed in the RECORD an editorial The Ominous Atom, published in the Hartford (Conn.) Daily Courant of Friday, June 11, 1948, and an editorial entitled "Politics and the Atom," published in the New York Times of June 15, 1948, which appear in the Appendix.]

APPROPRIATIONS FOR THE NAVY DEPARTMENT, 1949

Mr. WHERRY. Mr. President, I move that the unfinished business, Calendar

No. 1346, Senate bill 2318 to provide for a coordinated agricultural program, be temporarily laid aside and that the Senate proceed to the consideration of House bill 6772, the naval appropriation bill.

The motion was agreed to, and the Senate proceeded to consider the bill (H. R. 6772) making appropriations for the Department of the Navy and the naval service for the fiscal year ending June 30, 1949, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

Mr. SALTONSTALL. Mr. President, this is the bill making appropriations for the Department of the Navy and the naval service for the fiscal year ending June 30, 1949, and for other purposes. The original and supplemental estimates amounted to \$3,927,738,700. The House reduced that in the amount of \$241,005,450. Of these amounts, the Senate restored \$116,437,000.

In addition to that, Mr. President, and following the submission of the original bill, the President requested \$9,000,000 for exploration in the Elk Hills oil reservation in California. This came in after the House had considered the bill. Both the House Committee on Armed Services and the Senate Committee on Armed Services approved the request. We therefore inserted it in the bill. With that insertion, the total restoration by the Senate amounts to \$125,437,000.

I ask unanimous consent to have printed in the body of the RECORD at this point my remarks the first 7½ pages of the report on the bill.

There being no objection, the portion of the report (No. 1621) specified was ordered to be printed in the RECORD, as follows:

The Committee on Appropriations, to whom was referred the bill (H. R. 6772) making appropriations for the Department of the Navy and the naval service for the fiscal year ending June 30, 1949, and for other purposes, report the same to the Senate, with various amendments and present herewith information relative to the changes made.

SENATE ACTION General information [In millions of dollars]

	Appropriation	Senate action (+ or -)
Budget request.....	13,937	-125
House action.....	3,637	+125
Restoration request.....	13,878	-66
Senate action.....	13,812	

¹ Includes \$9,000,000 submitted as supplemental in S. Doc. No. 164.

SCOPE OF THE BILL

The bill calling for a total appropriation of \$3,812,170,250 embraces all regular naval appropriations for the Department of the Navy; the headquarters, United States Marine Corps; the entire operating forces of the United States Navy, including naval aviation, and of the United States Marine Corps, including the Reserve components of such forces; all field activities, headquarters, forces, bases, installations, activities, and functions under the control or supervision of the Department of the Navy. Attention should be called to the fact that in the Supplemental National Defense Appropriation Act, 1948, \$315,000,000 in appropriations was

provided for aircraft procurement of which \$150,000,000 is earmarked to liquidate previous contract authority. In addition, \$588,000,000 in new contract authority was included. These amounts normally would have been carried in this bill but were approved and passed by the Congress as a 1948 measure in order to accelerate procurement of needed aircraft for adequate national defense.

On June 3 the President submitted a request for an appropriation of \$50,000,000 and contract authorization of \$66,500,000 for public works for the National Military Establishment, Department of the Navy. These amounts are not included in this bill since they will be reviewed as a part of the requests submitted in the second deficiency appropriation bill, 1948.

COST OF THE NAVY

The committee last year pointed out that actual cash expenditures for the Department of the Navy were running about \$525,000,000 ahead of actual cash appropriations. During the fiscal year 1949, cash expenditures will exceed appropriations by approximately \$700,000,000. The committee wishes to point out that in addition to this outlay of cash a very sizable amount of wartime inventory is being consumed. In the fiscal year 1949, inventory to be consumed is estimated at \$1,028,000,000. This figure represents original cost to the Navy. Its replacement with modern equipment at current prices is estimated at \$1,750,000,000 by the Department of the Navy.

In addition, as will be shown in more detail under "Aviation and construction of ships," various sizable additional sums besides those now being spent will be required in the immediate years to come. The following table shows budget comparisons including consumption of inventory.

Comparison, Department of Navy budget by appropriations, expenditures, and actual costs, fiscal years 1947, 1948, and 1949

[In millions of dollars]

	1947	1948	Estimate, 1949
Budget:			
Cash appropriations.....	4,663	3,757	3,812
Less cash to liquidate prior contract authority.....	250	150	56
Net appropriation.....	4,413	3,607	3,756
New contract authority.....		1,101	280
Total new program.....	4,413	4,708	4,036
Actual costs:			
Expenditures.....	5,159	4,134	4,505
Inventory consumed.....	1,055	680	1,028
Cash collections.....	375	125	25
Total actual costs.....	6,589	4,939	5,558

¹ Includes 1949 aircraft procurement program.

² Shipbuilding only. Does not include 1949 aircraft procurement program, included in Supplemental National Defense Appropriation Act, 1948.

This tabulation reveals several important facts:

1. The actual cost of the Navy (nearly \$5,000,000,000 in the 1948 fiscal year; \$5,600,000,000 in fiscal year 1949) is substantially more than the \$3,800,000,000 being appropriated. This is due primarily to two factors—(a) the carry-over of money from prior years' appropriations to be expended as equipment and materials are completed and delivered, and (b) the use of surplus inventory.

2. A substantial part (probably as much as 1¾ billion dollars) of the Navy's current program is being met by utilization of inventory—war reserves and current working-stock items such as aircraft from storage and material from the appropriation-purchase account, ship-material account, medical-stores account, and marine stores—in ex-

DIGEST OF
CONGRESSIONAL PROCEEDINGS
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Division of Legislative Reports
(For Department staff only)

Issued June 17, 1948
For actions of June 16, 1948
30th-2nd, No. 110

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HIGHLIGHTS: House passed 2nd deficiency appropriation bill; same as reported so far as USDA items are concerned; rejected Mahon Amendment to increase REA. Senate debated long-range farm program bill; adopted several amendments to committee substitute, including one continuing CCC. Senate passed bill authorizing certain carrier rate agreements, over President's veto. Senate agreed to conference report on omnibus flood-control bill. Senate committee reported bill authorizing Secretary of Defense to coordinate Federal activities in disaster areas. House passed Forest Service fiscal omnibus bill.

HOUSE

1. SECOND DEFICIENCY APPROPRIATION BILL. Passed with amendments this bill, H. R. 6935 (pp. 8637-49). Rejected, 93-137, an amendment by Rep. Mahon, Tex., to provide \$450,000 additional for 1949 administrative expenses of REA (pp. 8645-7). Rejected, 199-204, a motion by Rep. Mahon to recommit the bill with instructions for the Appropriations Committee to report it with this amendment (pp. 8648-9). Earlier an amendment by Rep. Mahon to appropriate this \$450,000, with a provision that it would be available until expended, was ruled out of order (p. 8645).
2. WATER POLLUTION. House conferees were appointed on S. 418; the water-pollution bill (p. 8634).
3. PAY RAISE. Rep. Harris, Ark., spoke in favor of a pay raise for Federal employees (pp. 8635-6).
4. NAVAL APPROPRIATION BILL. House conferees were appointed on this bill, H. R. 6772 (p. 8636).
5. GOVERNMENT CORPORATIONS APPROPRIATION BILL. Reps. Ploeser, Jensen, Coudert, Clevenger, Mahon, Whitten, and Gore were appointed conferees on this bill, H. R. 6481 (p. 8636).
6. FOOD AND DRUG ADMINISTRATION. House conferees were appointed on H. R. 4071, to

increase the authority of this agency to condemn foods, etc. (pp. 8636-7).

7. SUPPLEMENTAL FEDERAL SECURITY AGENCY APPROPRIATION BILL. Passed this bill, H. R. 6355, over the President's veto by a 238-161 vote (pp. 8649-50). The Senate passed the bill over the veto, 72-17 (pp. 8610-12). The bill thus becomes law. It includes a provision which transfers the U. S. Employment Service from the Labor Department to the Federal Security Agency.
8. DISPLACED PERSONS. Received the conference report on H. R. 3566, to permit entry of displaced persons into the U. S., part of whom would be for agricultural work (p. 8653).
9. FOREIGN AID APPROPRIATION BILL. Reps. Taber, Wigglesworth, Engel of Mich., Stefan, Case of S. Dak., Keefe, Cannon, Kerr, and Mahon were appointed conferees on this bill, H. R. 6801 (pp. 8653-4).
10. FUR LABELING. H. R. 3734, to require fur labeling, was stricken from the consent calendar on objections of Reps. Van Zandt, Larcade, and Boggs of Del. (p. 8655).
11. TOBACCO PARITY. H. R. 5111, to change the base period for Md. tobacco, was discussed but objected to by Reps. Murray of Wis., Andersen, and Miller of Nebr., and thus was stricken from the consent calendar (p. 8655).
12. TRAVEL SERVICE. Passed with amendment H. R. 6136, to create a United States Travel Bureau in the Interior Department to encourage travel in the U. S. (p. 8662).
13. HOMESTEADS. Passed as reported H. R. 5555, which makes various amendments to the Small Tract Act of 1938, providing for purchase of public lands for home and other sites (p. 8662).
14. FOREST SERVICE FISCAL OMNIBUS BILL. Passed with amendments this bill, H. R. 2028, to facilitate and simplify the work of the Forest Service (pp. 8663-5).
15. ASSISTANT SECRETARIES. Passed without amendment H. R. 6822, to continue the authorization for two additional Assistant Secretaries of State (p. 8665).
16. FOREST LAND. Passed without amendment H. R. 5861, to transfer 480 acres of land in the Ouachita National Forest to Okla. (p. 8669).
17. RURAL ELECTRIFICATION. Passed without amendment S. 1087, to permit 3 cities, in Ala. and Tenn., to refinance indebtedness to TVA through REA loans (p. 8669). This bill will now be sent to the President.
18. OLEOMARGARINE. H. R. 6334, to authorize use of oleo in the armed forces, was stricken from the consent calendar on objections of Reps. Andersen, Hull, Smith of Wis., Murray of Wis., and Clevenger (p. 8670).
19. CIVIL-SERVICE RETIREMENT. Passed without amendment H. R. 6641, to provide annuities for certain surviving spouses of annuitants retired prior to Apr. 1, 1948 (p. 8671).
Passed as reported H. R. 5715, to extend retirement benefits to employees who were involuntarily separated during the period from July 1, 1945, to July 1, 1947, after having rendered 25 years of service but prior to attainment of age 55 (p. 8673).

House of Representatives

WEDNESDAY, JUNE 16, 1948

The House met at 10 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Lord God of the ages, everywhere Thou art present except in the hearts of the wicked. As Thou art most holy and most wise, direct our minds beyond all barriers of false imagination and animate our thoughts as to our responsibility in these remaining hours. If we have sought to serve our country relying solely upon ourselves, if we have endeavored to slake our thirst at broken cisterns or veil the flame within, teach us that to know the way we must have the abiding reality of truth. Fill us with the satisfaction born of honest, conscientious toil, realizing the brotherhood of man in the fatherhood of God. Through Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 5275. An act to amend the Tariff Act of 1930 to provide for the free importation of limestone to be used in the manufacture of fertilizer.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 631. An act for the relief of the Allied Aviation Corp.;

H. R. 3214. An act to revise, codify, and enact into law title 28 of the United States Code entitled "Judicial Code and Judiciary";

H. R. 4071. An act to amend sections 301 (k) and 304 (a) of the Federal Food, Drug, and Cosmetic Act, as amended;

H. R. 6318. An act to amend section 3 of the Standard Time Act of March 19, 1918, as amended, relating to the placing of a certain portion of the State of Idaho in the third time zone; and

H. R. 6448. An act to authorize the Administrator of Veterans' Affairs to convey certain land in Tennessee to the city of Johnson City.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 299. An act to extend the reclamation laws to the State of Arkansas;

S. 580. An act relating to the administrative jurisdiction of certain public lands in the State of Oregon;

S. 1183. An act to continue the Virgin Islands Company as an agency of the United States; and

S. J. Res. 37. Joint resolution requesting the President to proclaim February 1 as National Freedom Day.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6481. An act making appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1949, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. FERGUSON, Mr. REED, Mr. WHERRY, Mr. McKELLAR, and Mr. RUSSELL to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6772. An act making appropriations for the Department of the Navy and the naval service for the fiscal year ending June 30, 1949, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SALTONSTALL, Mr. BRIDGES, Mr. BROOKS, Mr. ROBERTSON of Wyoming, Mr. TYDINGS, Mr. GREEN, and Mr. THOMAS of Oklahoma to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6801. An act making appropriations for foreign aid for the period beginning April 3, 1948, and ending June 30, 1949, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BRIDGES, Mr. GURNEY, Mr. BROOKS, Mr. REED, Mr. McKELLAR, Mr. HAYDEN, and Mr. THOMAS of Oklahoma to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 418) entitled "An act to provide for water-pollution-control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. REVERCOMB, Mr. MALONE, and Mr. McCLELLAN to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of

the House to the bill (S. 2510) entitled "An act to provide for certain administrative expenses in the Post Office Department, including retainment of pneumatic-tube systems, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LANGER, Mr. ECTON, and Mr. O'CONOR to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. J. Res. 117) entitled "An act providing for acceptance by the United States of America of the Constitution of the International Labor Organization Instrument of Amendment, and further authorizing an appropriation for payment of the United States share of the expenses of membership and for expenses of participation by the United States," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. VANDENBERG, Mr. SMITH, and Mr. CONNALLY to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the House of the following titles:

H. R. 5416. An act to promote the interests of the Fort Hall Indian irrigation project, Idaho, and for other purposes; and

H. R. 6628. An act to provide for a program in the field of lighter-than-air aeronautics under the direction of the United States Maritime Commission, and for other purposes.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to bills of the Senate of the following titles:

S. 1853. An act to authorize the Coast Guard to establish, maintain, and operate aids to navigation; and

S. 2122. An act to authorize the Coast Guard to operate and maintain ocean stations.

The message also announced that the President pro tempore has appointed Mr. LANGER and Mr. McKELLAR members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Justice.
2. Department of the Navy.
3. Department of the Treasury.
4. National Archives.
5. Office of the Housing Expediter.

EXTENSION OF REMARKS

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD and include extraneous material.

Mr. ELLIS asked and was given permission to extend his remarks in the RECORD in two separate instances and include newspaper articles.

Mr. ANGELL asked and was given permission to extend his remarks in the Appendix of the RECORD and include extraneous matter.

Mr. TRIMBLE asked and was given permission to extend his remarks in the Appendix of the RECORD in two separate instances and include extraneous matter in each.

Mrs. ST. GEORGE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

YOUTH GOVERNMENT PROJECT

Mrs. ST. GEORGE. Mr. Speaker, in my county of Orange, in the great State of New York, we have had for the past several years a youth and Government project, which to my way of thinking, could well be introduced into every county and every high school in our Nation.

Every spring the seniors of all the high schools in the county have a political campaign, in which they hold two party conventions, write two party platforms and elect all county officials and one Member of Congress.

After the campaign is over the duly elected officials spend 1 day with their prototypes, who are actually in office. During that day they are shown all the workings of the offices such as, county clerk, county treasurer, and so forth.

Today it is my pleasure and honor to have the young man, William Walker, who was elected as a member of Congress with me on the floor of the House. He is visiting Washington and will have a very fair and accurate idea of what a Congressman's day is like.

Mr. Speaker, our Government in recent years has gotten very far away from the people. The fault, in my opinion, rests with the people themselves.

Our form of Government cannot survive and cannot be made to function as it should, unless all our citizens know very thoroughly what their duties as voters and as participants in local, county and Federal Government are.

It is not easy to be a citizen of a free Republic. We have got to learn our duties and for that reason projects such as this youth in government project should be in all our schools.

Our young people should be taught their duties and responsibilities to God and country, and it makes me very proud to think that in my county we may be the pioneers of a new movement that will teach the youth of America what its duties and responsibilities are and through that knowledge this Republic will go on from strength to strength and fulfill its great destiny in the modern world.

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I have an article in my hand in which Mr. Ralph King, of Massachusetts, said there are no better drivers in the State of Massachusetts than the amputees and the paralyzed veterans.

I ask unanimous consent to extend this article as part of my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

[The matter referred to appears in the Appendix.]

CORRECTION OF ROLL CALL

Mr. RICH. Mr. Speaker, on roll call No. 105 overriding the President's veto on the social-security bill, I am recorded as not voting. I was present and voted "aye."

I ask unanimous consent that the Journal and RECORD may be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

STREAM POLLUTION BILL SENT TO CONFERENCE

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 418) to provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes, insist on the House amendments, agree to the conference requested by the Senate, and that the Chair appoint conferees.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan. [After a pause.] The Chair hears none and appoints the following conferees: Messrs. DONDERO, AUCHINCLOSS, MCGREGOR, CUNNINGHAM, WHITTINGTON, PICKETT, and BLATNIK.

EXTENSION OF REMARKS

Mr. FALLON asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. SMATHERS (at the request of Mr. GORE) was given permission to extend his remarks in the Appendix of the RECORD and include extraneous matter.

Mr. MADDEN asked and was given permission to extend his remarks in the RECORD and include a speech he made yesterday at the Democratic State Convention in Indianapolis, and also to extend his remarks on the retirement of the gentleman from Indiana [Mr. LUDLOW].

Mr. ALBERT asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. PLOESER asked and was given permission to extend his remarks at this point in the RECORD.

CATHERINE MARTIN

Mr. PLOESER. Mr. Speaker, I am indeed sorry that 1-minute speeches are not in order on this particular day.

The House should honor this day. It is the birthday of a fine American woman,

the mother of our great Speaker, JOSEPH W. MARTIN, JR. It is mother Catherine Martin's eighty-sixth birthday. My colleagues join me in compliments and wishes for many happy returns to Mother Martin and Speaker MARTIN.

It is a fine blessing for a man to be privileged to reach the pinnacle of a great distinguished career and still enjoy the living love of his mother. Many are not so fortunate. A few are. Congratulations, Mr. Speaker, and may we all invoke God's continued blessing for you, Mother Martin, and your family.

LT. GEN. LESLIE RICHARD GROVES

Mr. COLE of New York. Mr. Speaker, on yesterday the House passed a bill which was on the Private Calendar, H. R. 5596. There is an identical bill at the Speaker's desk which has passed the Senate, S. 2223, to authorize the promotion of Lt. Gen. Leslie Richard Groves to the permanent grade of major general, United States Army, and for other purposes.

Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There being no objection, the Clerk read the Senate bill, as follows:

Whereas the development of an atomic bomb by the Manhattan Engineer District, United States Army, during World War II represents not only the greatest achievement in weapon production but also one of the greatest achievements in the coordination of science, industry, and management in world history and was also a major factor in bringing that war to an earlier victorious close resulting in the saving of thousands of lives and great stores of resources; and

Whereas this accomplishment has also opened unlimited possibilities for peacetime and humanitarian application and expansion of atomic science for future use for the benefit of mankind; and

Whereas this initial achievement was successfully concluded under the leadership, supervision, and direction of Leslie Richard Groves, as Director of the Manhattan Engineer District, with superior judgment and courage and in accordance with the highest traditions of the United States Army; and

Whereas the said Leslie Richard Groves has requested that he be retired from service as an officer of the United States Army and such retirement has been authorized; and

Whereas the American people and the Congress of the United States deeply appreciate the outstanding and unique service to the Nation and to humanity thus rendered by the said Leslie Richard Groves and desire to express this appreciation by means of official recognition thereof: Therefore

Be it enacted, etc. That the President is authorized and requested to appoint, without confirmation by the Senate, Leslie Richard Groves, Army serial No. O-12043, lieutenant general, Army of the United States, to the permanent grade of major general in the Regular Army, such appointment to be effective as of the day prior to the effective date of his retirement from the active list of the Regular Army and such appointment shall entitle him to receive the retired pay of major general of the Regular Army.

SEC. 2. The President is further authorized and requested, without confirmation by the Senate, to place the said Leslie Richard Groves on the retired list with the rank and grade of lieutenant general with honor-

10. SECOND DEFICIENCY APPROPRIATION BILL, 1949, H.R. 6935.
Sen. Russell, Ga., submitted a notice to suspend the rules in order to propose an amendment to this bill to include \$75,000,000, to remain available until expended, for repair, etc., of flood damage to public facilities, by the Federal Works Agency (p. 8795).
11. SUPPLEMENTAL INDEPENDENT OFFICES APPROPRIATION BILL, 1949. The Appropriations Committee reported with amendments this bill, H.R. 6829 (S.Rept.1758) (p. 8878).
12. MILITARY ESTABLISHMENTS APPROPRIATION BILL, 1949. Passed with amendment this bill, H.R. 6771 (pp. 8880-4). Agreed to an amendment by Sen. Fulbright, Ark., to strike out the prohibition against the use of appropriations for the purchase of oleomargarine or butter substitutes for other than cooking purposes (pp. 8883-4). Senate conferees appointed (p. 8884).
13. ALASKAN TRANSPORTATION. The Interstate and Foreign Commerce Committee reported with amendments S.J.Res. 219, to continue until Dec. 31, 1949, the authority of the U.S. Maritime Commission to make provision for certain ocean transportation services to, from, and within Alaska (S.Rept.1755) (p. 8794).
14. HEALTH. The Labor and Public Welfare Committee submitted a report of the activities of the Subcommittee on Health in relation to national health problems (S.Rept. 1571) (pp. 8795-9).
15. DISPLACED PERSONS. Received from the President a supplemental appropriation estimate of \$4,000,000, 1949, for the "immigration of displaced persons"; to Appropriations Committee (S.Doc. 181) (p. 8793).
16. ALASKAN DEVELOPMENT. Received from the Interior Department a draft of a proposed bill to aid the settlement and development of Alaska; to Interior and Insular Affairs Committee (p. 8793).

HOUSE

17. INTERIOR DEPARTMENT APPROPRIATION BILL, 1949. Received the conference report on this bill, H.R. 6705 (pp. 8782-90). Regarding the amendment on reclamation investigations in Alaska, the conferees restored the House language with a change so that it would read as follows: "For engineering and economic investigations, as a basis for legislation, and for reports thereon, relating to projects for the development and utilization of the water power resources of Alaska, \$150,000..."
18. HOUSING. The Banking and Currency Committee reported without amendment H.R. 6959, the revised housing bill (H.Rept. 2389) (p. 8791). The Veterans' Affairs Committee also reported this bill (H.Rept. 2390) (p. 8791). The Daily Digest states that this "measure calls for renewal of Government mortgage insurance on new houses up to 90 percent of value; priorities for veterans in buying war-built Government housing; and a revised system of figuring depreciation allowances on new apartment or multiple-dwelling construction." The bill does not contain the public-housing sections nor the rural housing title.
19. TRANSPORTATION. Passed, 297-102, over the President's veto, S. 110, to amend the Interstate Commerce Act so as to authorize certain rate agreements among carriers when approved by ICC (pp. 8711-2).

20. FLOOD CONTROL. Agreed to the conference report on H.R. 6419, which contains authorizations for flood control, including \$10,000,000 for this Department and Army Department to make examinations and surveys (p. 8720). This bill will now be sent to the President.
21. SELECTIVE SERVICE. Concluded debate on H.R. 6401, the selective-service bill (pp. 8722-31). Final action is to be taken on the bill today, June 18.
22. WATER POLLUTION. Received the conference report on S. 418, to provide for water-pollution control activities by the Public Health Service and the Federal Works Agency (pp. 8731-2).
23. FOREIGN AID APPROPRIATION BILL, 1949. Rep. Taber, N.Y., obtained unanimous consent for the conferees on this bill, H.R. 6801, to file their report by midnight, June 17 (p. 8713).
24. ALASKA. Received from the Interior Department a proposed bill to aid the settlement and development of Alaska; to Public Lands Committee (p. 8791).
25. GRAIN. Received a Central Retail Feed Assn. resolution favoring a change to the hundredweight system for grain; to Agriculture Committee (p. 8792).
26. C.C.C. Received a Central Retail Feed Assn. resolution endorsing "all legislation which is designed to keep Commodity Credit Corporation from competing with private business"; to Banking and Currency Committee (p. 8792).

BILLS INTRODUCED

27. HOUSING. H.Res. 689, by Rep. Gamble, N.Y., to establish a select committee to be known as the Committee on Housing. To Rules Committee. (p. 8792.)
28. ECONOMY. H.R. 6976, by Rep. Javits, N.Y., to create a National Economic Commission, to establish procedures for the formulation and achievement of national economic goals for the making of voluntary agreements in commerce. To Banking and Currency Committee. (p. 8792.)

ITEMS IN APPENDIX

29. FARM PROGRAM. Extension of remarks of Rep. Harris, Ark., expressing his views on a long-range farm program (pp. A4189-90).
30. AGRICULTURAL APPROPRIATIONS. Extension of remarks of Rep. Bennett, Mo., commending Congressional action on USDA's appropriation bill (pp. A4195-7).
Sen. Brooks, Ill., inserted an Illinois Agricultural Association letter commending the work of the Subcommittee on Agricultural Appropriations (p. A4222).
31. FEDERAL PAY BILL. Extension of remarks of Rep. Kefauver, Tenn., favoring salary increases for Federal employees (pp. A4197-8).
32. GOVERNMENT EXPENDITURES. Extension of remarks of Rep. Vursell, Ill., criticizing Government expenditures (p. A4198).
33. RURAL ELECTRIFICATION. Extension of remarks of Rep. Bennett, Mo., commending progress in rural electrification and urging its further extension (pp. A4198-9).
34. HOUSING. Extension of remarks of Rep. Isacson, N.Y., favoring the TEW housing bill (pp. A4200-1).

PROVIDING FOR WATER POLLUTION CONTROL ACTIVITIES IN
THE PUBLIC HEALTH SERVICE OF THE FEDERAL SECURITY
AGENCY AND IN THE FEDERAL WORKS AGENCY

JUNE 17, 1948.—Ordered to be printed

Mr. DONDERO, from the committee of conference, submitted the
following

CONFERENCE REPORT

[To accompany S. 418]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 418) entitled "An Act to provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes" having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with amendments as follows:

Page 2, line 12, of the amendment of the House, strike out the words "hereinafter declared to be a public nuisance".

Page 2, lines 13 and 14, of the amendment of the House, strike out the words "such interstate waters and tributaries thereof", and insert the following words *surface and underground waters*.

Page 9, line 11, of the amendment of the House, strike out the figure "\$200,000" and insert the figure \$250,000.

Page 11, line 25, of the amendment of the House, strike out the figure "\$20,000,000" and insert the figure \$22,500,000.

Page 12, line 25, of the amendment of the House, after the words "study of" insert the word *water*, and strike out the word "of" after the word "pollution".

Page 13, line 1, of the amendment of the House, strike out the words "interstate waters".

Page 13, line 2, of the amendment of the House, before the word "pollution" insert the word *water*, and after the word "pollution" strike out the words "of interstate waters".

Page 14, line 17 through line 23, of the amendment of the House, strike out all after the words "Sec. 9 (a)" and insert the following: *Five officers may be appointed to grades in the Regular Corps of the Public Health Service above that of senior assistant, but not to a grade above that of director, to assist in carrying out the purposes of this Act. Officers appointed pursuant to this subsection in any fiscal year shall not be counted as part of the 10 per centum of the original appointments authorized to be made in such year under section 207 (b) of the Public Health Service Act; but they shall for all other purposes be treated as though appointed pursuant to such section 207 (b).*

And the House agree to the same.

GEO. A. DONDERO,
J. HARRY MCGREGOR,
PAUL CUNNINGHAM,
JAMES C. AUCHINCLOSS,
WILL M. WHITTINGTON,
JOHN A. BLATNIK,
TOM PICKETT,

Managers on the Part of the House.

GEO. W. MALONE,
CHAPMAN REVERCOMB,
JOHN L. MCCLELLAN,
Managers on the Part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 418) submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

The first two amendments apply to section 2 (a), lines 4, 5, and 6, on page 18 of the bill. The language substituted more clearly defines the authority of the Surgeon General with respect to the preparation and adoption of comprehensive programs for eliminating or reducing the pollution of surface and underground waters.

The amendment to section 5 (line 3, p. 25), increases by \$50,000 the maximum individual loan which may be made under the act.

The amendment to section 7 (line 16, p. 27) increases by \$2,500,000 the maximum authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, for the purpose of making loans under section 5 of the act.

The purpose of the amendments to section 8 (b) (lines 16, 17, and 18, p. 28) is to expand the service of the Public Health Service station authorized to be erected at Cincinnati, Ohio, in connection with research and study of water pollution and the training of personnel in work related to control of water pollution.

The amendment with reference to section 9 (a) (lines 10 to 16, p. 30) substitutes a new section 9 (a), which is required for the purpose set forth in the following letter:

FEDERAL SECURITY AGENCY,
Washington 25, May 14, 1948.

DEAR MR. CHAIRMAN: This is in reference to S. 418, which your committee reported out, with amendments, on April 28, 1948.

Section 9 (a) of S. 418 as reported authorizes additional appointments to be made at higher grades in the Regular Corps of the Public Health Service pursuant to section 208 (b) of the Public Health Service Act to assist the Service in carrying out its new or expanded activities under S. 418. Since our letter of January 19, 1948, to you on this bill, however, the Congress has enacted Public Law 425, which amends the provisions of the Public Health Service Act in several respects, primarily in the matter of appointment and promotion of commissioned officers of the Public Health Service. As a result of Public Law 425, the authority to make additional appointments at higher grades in the Regular Corps of the Public Health Service, formerly contained in section 208 (b) of the Public Health Service Act, is now contained in section 207 (b) of that act, in a somewhat revised form. In order, therefore, to accomplish the purposes for which section 9 (a) of S. 418 was intended, the following is suggested in lieu of such section 9 (a):

(a) Five officers may be appointed to grades in the Regular Corps of the Service above that of senior assistant, but not to a grade above that of director, to assist in carrying out the purposes of this act. Officers appointed pursuant to this subsection in any fiscal year shall not be counted as part of the 10 percent of the original appointments authorized to be made in such year under section 207 (b) of the Public Health Service Act; but they shall for all other purposes be treated as though appointed pursuant to such section 207 (b).

The short time available for necessary action on the amendment suggested by this letter has not permitted us to obtain advice from the Bureau of the Budget as to the relationship of this amendment to the program of the President.

Sincerely yours,

J. DONALD KINGSLEY,
Acting Administrator.

Hon. GEORGE A. DONDERO,
*Chairman, Committee on Public Works,
House of Representatives, Washington 25, D. C.*

GEO. A. DONDERO,
J. HARRY MCGREGOR,
JAMES C. AUCHINCLOSS,
PAUL CUNNINGHAM,
WILL M. WHITTINGTON,
JOHN A. BLATNIK,
TOM PICKETT,
Managers on the Part of the House.

○

ported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en grosse.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

Mr. MARCANTONIO. Mr. Speaker, I demand the reading of the engrossed copy of the bill.

The SPEAKER. The bill will have to be laid aside until the engrossed copy can be provided.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the amendments of the House to a bill and joint resolution of the Senate of the following titles:

S. 239. An act relating to the Board of Visitors to the United States Naval Academy and postgraduate school; and

S. J. Res. 202. Joint resolution to change the name of the South Coulee Dam in the Columbia Basin project to O'Sullivan Dam.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 4435. An act to amend the Civil Aeronautics Act of 1938, as amended, by redefining certain powers of the Administrator, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BREWSTER, Mr. HAWKES, and Mr. JOHNSON of Colorado to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6772) entitled "An act making appropriations for the Department of the Navy and the naval service for the fiscal year ending June 30, 1949, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to the Senate amendment numbered 40 to the above-entitled bill.

The message also announced that the President pro tempore has appointed Mr. LANGER and Mr. MCKELLAR members of the Joint Select Committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of the Army.
2. Departments of the Army and the Air Force.
3. Department of the Interior.

4. Department of Justice.
5. Department of Labor.
6. Department of the Navy.
7. Department of State.
8. Post Office Department.
9. Federal Security Agency.
10. Federal Communications Commission.
11. Housing and Home Finance Agency.
12. Reconstruction Finance Corporation.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the House of the following title:

H. R. 3735. An act to authorize and direct the Secretary of War to donate and convey to Okaloosa County, State of Florida, all right, title, and interest of the United States in and to a portion of Santa Rosa Island, Fla., and for other purposes; and

H. R. 4071. An act to amend sections 301 (k) and 304 (a) of the Federal Food, Drug, and Cosmetic Act, as amended.

The message also announced that the President pro tempore has appointed Mr. LANGER and Mr. MCKELLAR members of the Joint Select Committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of the Army.
3. Departments of the Army and the Air Force.
4. Department of Justice.
5. Department of Labor.
6. Department of the Navy.
7. Department of the Treasury.
8. Department of State.
9. National Archives.
10. Office of the Housing Expediter.
11. Federal Security Agency.
12. Reconstruction Finance Corporation.
13. Veterans' Administration.
14. War Assets Administration.

WATER-POLLUTION CONTROL—CONFERENCE REPORT

Mr. DONDERO submitted the following conference report and statement on S. 418, an act to provide for water-pollution-control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 418) "An Act to provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with amendments, as follows:

Page 2, line 12, of the amendment of the House, strike out the words "hereinafter declared to be a public nuisance".

Page 2, lines 13 and 14, of the amendment of the House, strike out the words "such interstate water and tributaries thereof", and insert the following words "surface and underground waters".

Page 9, line 11, of the amendment of the House, strike out the figure "\$200,000" and insert the figure "\$250,000".

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And the House agree to the same.

GEO. A. DONDERO,
J. HARRY MCGREGOR,
PAUL CUNNINGHAM,
JAMES C. AUCHINCLOSS,
WILL M. WHITTINGTON,
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Managers on the Part of the House.

GEO. W. MALONE,
CHAPMAN REVERCOMB,
JOHN L. MCCLELLAN,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 418) submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

The first two amendments apply to Sec. 2 (a), lines 4, 5, and 6, on page 18 of the bill. The language substituted more clearly defines the authority of the Surgeon General with respect to the preparation and adoption of comprehensive programs for eliminating or reducing the pollution of surface and underground waters.

The amendment to Sec. 5 (line 3, page 25), increases by \$50,000 the maximum individual loan which may be made under the Act.

The amendment to Sec. 7 (line 16, page 27), increases by \$2,500,000 the maximum authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, for the purpose of making loans under Section 5 of the Act.

The purpose of the amendments to Sec. 8 (b) (lines 16, 17, and 18, page 28), is to expand the service of the Public Health Service station authorized to be erected at Cincinnati, Ohio, in connection with research and study of water pollution and the training of personnel in work related to control of water pollution.

The amendment with reference to Sec. 9 (a), (lines 10 to 16, page 30), substitutes a

new Sec. 9 (a), which is required for the purpose set forth in the following letter:

FEDERAL SECURITY AGENCY,
Washington, Zone 25, May 14, 1948.

DEAR MR. CHAIRMAN: This is in reference to S. 418, which your Committee reported out, with amendments, on April 28, 1948.

Section 9 (a) of S. 418 as reported authorizes additional appointments to be made at higher grades in the Regular Corps of the Public Health Service pursuant to section 208 (b) of the Public Health Service Act to assist the Service in carrying out its new or expanded activities under S. 418. Since our letter of January 19, 1948, to you on this bill, however, the Congress has enacted Public Law 425, which amends the provisions of the Public Health Service Act in several respects, primarily in the matter of appointment and promotion of commissioned officers of the Public Health Service. As a result of Public Law 425, the authority to make additional appointments at higher grades in the Regular Corps of the Public Health Service, formerly contained in section 208 (b) of the Public Health Service Act, is now contained in section 207 (b) of that Act, in a somewhat revised form. In order, therefore, to accomplish the purposes for which section 9 (a) of S. 418 was intended, the following is suggested in lieu of such section 9 (a):

(a) Five officers may be appointed to grades in the Regular Corps of the Service above that of senior assistant, but not to a grade above that of director, to assist in carrying out the purposes of this Act. Officers appointed pursuant to this subsection in any fiscal year shall not be counted as part of the 10 per centum of the original appointments authorized to be made in such year under section 207 (b) of the Public Health Service Act; but they shall for all other purposes be treated as though appointed pursuant to such section 207 (b).

The short time available for necessary action on the amendment suggested by this letter has not permitted us to obtain advice from the Bureau of the Budget as to the relationship of this amendment to the program of the President.

Sincerely yours,

J. DONALD KINGSLEY,
Acting Administrator.

HON. GEORGE A. DONDERO,
Chairman, Committee on Public Works,
House of Representatives,
Washington 25, D. C.

GEO. A. DONDERO,
J. HARRY MCGREGOR,
JAMES C. AUCHINCLOSS,
PAUL CUNNINGHAM,
WILL M. WHITTINGTON,
JOHN A. BLATNIK,
TOM PICKETT,

Managers on the Part of the House.

DEPARTMENT OF THE INTERIOR APPROPRIATIONS—CONFERENCE REPORT

Mr. JENSEN submitted the following conference report and statement on the bill (H. R. 6705) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1949, and for other purposes.

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6705) "making appropriations for the Department of the Interior for the fiscal year ending June 30, 1949, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 30, 34, 35, 42, 46, 54, 61, 62, 70, 78, 79, 80, 93, 96, 118, 135, 144, 147, 170, 172, 173, 185, 186, 202, 226, and 243.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 6, 8, 11, 12, 14, 15, 16, 17, 21, 23, 24, 26, 27, 28, 32, 33, 39, 44, 48, 49, 50, 51, 52, 53, 55, 56, 67, 68, 69, 71, 87, 88, 89, 94, 95, 99, 104, 108, 138, 139, 140, 141, 142, 145, 148, 153, 158, 160, 162, 165, 167, 168, 169, 171, 174, 175, 176, 179, 191, 192, 193, 194, 195, 196, 197, 198, 204, 205, 207, 208, 210, 220, 221, 222, 223, 224, 228, 229, and 230, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "\$1,115,842"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert the following: "not to exceed \$50,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$160,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$325,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "purchase of one passenger motor vehicle"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$215,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert the following: "eight"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$11,888,500"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert the following: "Provided further, That not exceeding eight per centum of any construction appropriations for the Bonneville Power Administration contained in this Act shall be available for construction work by force account, or on a hired labor basis"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows: "Provided further, That interest heretofore collected by Bonneville Power Administration

from sales of electric energy generated at Grand Coulee Dam on the unamortized balance of investment allocated to power in Grand Coulee Dam shall be covered into the reclamation fund forthwith: *Provided further*, That, awaiting legislation, said interest shall not be allocated during the fiscal year 1949"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$1,000,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows: "Provided, That none of the appropriations made in this Act shall be used to pay the salaries of personnel assigned to regional offices of the Bureau of Land Management in excess of the average total number of all personnel assigned to such regional offices during the fiscal year 1948"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"Salaries and expenses, district offices: For expenses of district offices at Billings, Montana, and Portland, Oregon, only, including printing and binding, \$200,000: *Provided*, That any unobligated balances of 1948 appropriations for the Bureau of Indian Affairs shall be available for payment to employees for accumulated or accrued annual leave due upon their separation from service or furlough from active duty by reason of reduction in force under the appropriation 'Salaries and Expenses, District Offices'."

And the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$125,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$4,334,115"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$5,242,015"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$755,000"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$10,100,000"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$900,000"; and the Senate agree to the same.

18. HOUSING. Passed, 318-90, as reported H. R. 6959, the housing bill, without the rural-housing title (pp. 9022-47).
19. SELECTIVE SERVICE. Passed, 283-130, with amendments S. 2655; the selective-service bill (pp. 8986-8). Conferees were appointed (p. 8988).
20. ARMY MILITARY APPROPRIATION BILL. House conferees were appointed on this bill, H. R. 6771 (p. 8986).
21. DISPLACED PERSONS. Agreed to the conference report on S. 2242, to permit entry of 200,000 displaced persons into the U. S., of whom at least 30% must be farm workers (pp. 9004-13).
22. INTERIOR APPROPRIATION BILL. Agreed to the conference report on this bill, H. R. 6705 (pp. 8998-9).
23. FOOD AND DRUG ADMINISTRATION. Agreed to the conference report on H. R. 4071, to increase the powers of this agency regarding seizures of foods, etc. (pp. 8996-7). This bill will now be sent to the President.
24. FOREIGN RELIEF. Passed as reported S. 2376, to provide a revolving fund for purchase of agricultural commodities and raw materials to be processed in occupied areas and sold (pp. 9078-81).
25. WATER POLLUTION. Agreed to the conference report on S. 418, to provide for water-pollution control through the Public Health Service (p. 9013).
26. RECLAMATION. Concurred in the Senate amendment to H. R. 3218, authorizing an emergency fund for the Bureau of Reclamation to assure continuous operation of its projects (p. 9015). This bill will now be sent to the President.
27. POSTAL RATES. Passed as reported H. R. 6916, to provide for permanent postal rates and additional compensation for certain P. O. employees (pp. 9052-66).
28. SUPPLEMENTAL INDEPENDENT OFFICES APPROPRIATION BILL. House conferees were appointed on this bill, H. R. 6829 (p. 9073).
29. AGRICULTURE INVESTIGATIONS. Agreed, without amendment, to H. Res. 676, providing \$5,000 for the Agriculture Committee (p. 9086).
30. COMMODITY-EXCHANGE INVESTIGATION. Agreed, without amendment, to H. Res. 674, providing \$10,000 for the Andresen Committee (p. 9086).
31. VIRGIN ISLANDS. Passed, 132-9, as reported H. R. 5904, to incorporate the Virgin Islands Corporation (pp. 9087-91).
32. RECLAMATION. Agreed to the conference report on H. R. 5416, to promote the interest of the Fort Hall Indian irrigation project, Idaho (p. 9103).
33. COMMODITY SPECULATION. Rep. Rankin, Miss., discussed the charges against Linder, MacDonald, and Harris (p. 9105).
34. FOREST LANDS. The Public Lands Committee reported without amendment S. 580, to transfer certain O&C lands from the Forest Service to the Interior Department (H. Rept. 2413) (p. 9107).
35. PERSONNEL; ECONOMY. The Post Office and Civil Service Committee submitted a

report on the relation of new functions of the departments and agencies to increased civilian employment in the executive branch (H. Rept. 2412)(p.9107).

36. DISASTER RELIEF. Passed S. 2877, providing \$10,000,000 additional authority for disaster loans by RFC (p. 9092). The Senate version would have provided \$20,000,000 additional.

SENATE - June 19

37. SELECTIVE SERVICE. Both Houses agreed to the conference report on S. 2655, the selective-service bill; the House vote was 259-136 (pp. 9137-71, 9357-81). This bill will now be sent to the President.
38. INTERIOR APPROPRIATION BILL. Agreed to the conference report on this bill, H. R. 6705 (pp. 9171-3). This bill will now be sent to the President.
39. CCC CHARTER. Conferees on this bill, S. 1322, were appointed in both Houses (pp. 9173-5, 9376-7).
40. WATER POLLUTION. Agreed to the conference report on S. 418, to provide for water-pollution control through the Public Health Service (p. 9175). This bill will now be sent to the President.
41. DISPLACED PERSONS. Agreed to the conference report on S. 2242, to permit entry of displaced persons into the U. S. (pp. 9176-88, 9190-6). This bill will now be sent to the President.
42. GOVERNMENT CORPORATIONS APPROPRIATION BILL. Both Houses agreed to the conference report on this bill, H. R. 8481, and acted on disagreement amendments (pp. 9177, 9188-90, 9263, 9339-53). This bill will now be sent to the President. As finally passed, the bill includes changes as follows: Authorizes payment by the Federal intermediate credit banks to FCA of not over \$330,000 (House, \$373,600; Senate, \$225,600). Authorizes not over \$1,500,000 for administrative expenses of the production credit corporations (Senate figure; House, \$1,350,000). Provides that the production credit corporations shall return Government capital of at least \$30,000,000 (House, \$60,000,000; Senate, \$20,000,000), and that such capital be carried to the surplus fund of the Treasury instead of being returned to the corporations revolving fund, as proposed by the Senate. Authorizes not over \$146,800 for RACC administrative expenses (Senate figure; House, \$46,800). Authorizes payment by RACC to FCA of not over \$21,000 (Senate figure; House, \$12,500). Does not include the Senate provision for a \$12,000 salary for the FCA Governor. Retains the fur-farmer loan provision in modified form. Strikes out TVA steam-plant provision.
43. VIRGIN ISLANDS. Conferees were appointed, in both Houses, on H. R. 5904, to incorporate the Virgin Islands Corporation (pp. 9182, 9378).
44. SECOND DEFICIENCY APPROPRIATION BILL. Passed with amendments this bill, H. R. 6935 (pp. 9217-26). Conferees were appointed in both Houses (pp. 9226, 9353). In addition to the committee amendments, agreed to an amendment by Sen. Murray, Mont. (for himself and Sens. Hill and Ball), to provide \$450,000 additional for administrative expenses of REA (pp. 9222-3).
45. INDEPENDENT OFFICES SUPPLEMENTAL APPROPRIATION BILL. Both Houses agreed to the conference report on this bill, H. R. 6829 (pp. 9264, 9353-5). This bill will now be sent to the President. The conferees eliminated the Senate amendment

NAYS—266

Abbitt	Foot	Meyer
Abernethy	Fuller	Michener
Allen, Calif.	Gamble	Miller, Conn.
Allen, Ill.	Garmatz	Miller, Md.
Andersen	Gary	Miller, Nebr.
H. Carl	Gavin	Mills
Anderson, Calif.	Gillette	Mitchell
Andresen	Gillie	Monroney
August H.	Goff	Morrison
Andrews, Ala.	Goodwin	Morton
Andrews, N. Y.	Gordon	Mulienberg
Arends	Gorski	Mundt
Arnold	Graham	Murdock
Auchincloss	Granger	Murray, Wls.
Banta	Grant, Ind.	Nicholson
Barden	Gregory	Nixon
Barrett	Gross	Nodar
Bates, Mass.	Gwinn, N. Y.	Norblad
Beall	Gwynne, Iowa	Norrell
Bell	Hale	O'Hara
Bennett, Mich.	Hall	O'Konski
Bennett, Mo.	Leonard W.	Patman
Bishop	Halleck	Patterson
Blackney	Hand	Phillips, Calif.
Bland	Hardy	Phillips, Tenn.
Boggs, La.	Harless, Ariz.	Plumley
Bonner	Harness, Ind.	Potter
Boykin	Harris	Poulson
Bradley	Hart	Price, Fla.
Bramblett	Harvey	Priest
Brooks	Hays	Rains
Brophy	Hébert	Ramey
Buck	Hedrick	Rayburn
Buffett	Hendricks	Redden
Bulwinkle	Hess	Reed, Ill.
Burke	Hill	Reed, N. Y.
Burleson	Hinshaw	Rees
Busbey	Hobbs	Riehlman
Butler	Hoeven	Rizley
Byrnes, Wis.	Hoffman	Rockwell
Camp	Holmes	Rogers, Fla.
Canfield	Hope	Rogers, Mass.
Cannon	Horan	Rohrbough
Carson	Hull	Ross
Case, N. J.	Jackson, Calif.	Russell
Case, S. Dak.	Jarman	Sadiak
Chadwick	Jenison	St. George
Chapman	Jenkins, Pa.	Sanborn
Chelf	Jennings	Sasser
Chenoweth	Jensen	Schwabe, Mo.
Chiperfield	Johnson, Calif.	Schwabe, Okla.
Church	Johnson, Ill.	Scoblick
Clason	Jones, Ala.	Scott, Hardie
Coffin	Jones, N. C.	Scott,
Cole, Kans.	Jones, Wash.	Hugh D., Jr.
Cole, Mo.	Jonkman	Scrivner
Cole, N. Y.	Kearns	Seely-Brown
Combs	Kee	Sheppard
Cooley	Keefe	Short
Corbett	Kersten, Wis.	Simpson, Ill.
Cotton	Kilburn	Smith, Kans.
Cox	Kilday	Smith, Maine
Crawford	Kunkel	Smith, Ohio
Crow	Landis	Smith, Va.
Cunningham	Larcade	Smith, Wls.
Curtis	Latham	Snyder
Dague	Lea	Stefan
Davis, Tenn.	LeCompte	Stevenson
Davis, Wis.	LeFevre	Stockman
Dawson, Utah	Lemke	Sundstrom
Deane	Lesinski	Taber
D'Ewart	Lewis, Ky.	Talle
Dirksen	Lichtenwalter	Thompson
Dolliver	Love	Tibbott
Domeneaux	Lusk	Tollefson
Dondero	Lyle	Towe
Dorn	McConnell	Trimble
Doughton	McCowan	Vail
Durham	McDowell	Votrs
Eaton	McGarvey	Vursell
Ellis	McMillan, S. C.	Wadsworth
Ellsworth	Mack	Weichel
Engel, Mich.	Macy	Whitten
Fellows	Maloney	Wigglesworth
Fenton	Manasco	Wilson, Tex.
Fernandez	Martin, Iowa	Wolcott
Fisher	Mathews	Wolverton
Flannagan	Meade, Ky.	Woodruff
Fletcher	Meade, Md.	Worley
Folger	Mefrow	Youngblood

NOT VOTING—31

Bates, Ky.	Hartley	Rich
Brown, Ohio	Johnson, Ind.	Rivers
Clark	Johnson, Okla.	Robertson
Clevenger	Johnson, Tex.	Simpson, Pa.
Clippinger	Kerr	Stigler
Coudert	Lane	Thomas, N. J.
Elliott	Ludlow	West
Engle, Calif.	Mansfield	Whitaker
Gossett	Peden	Wilson, Ind.
Hall	Ploeser	Wood
Edwin Arthur Regan		

So the motion was rejected.

The Clerk announced the following pairs:

Additional general pairs:

Mr. Brown of Ohio with Mr. Peden.
Mr. Hartley with Mr. Johnson of Texas.
Mr. Simpson of Pennsylvania with Mr. Lane.
Mr. Thomas of New Jersey with Mr. Stigler.
Mr. Wilson of Indiana with Mr. Whitaker.

Mr. HART, Mr. SASSCER, Mr. REED of New York, and Mr. BELL changed their votes from "yea" to "nay."

Mr. ANGELL, Mr. BENDER, and Mr. EBERHARTER changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the conference report.

Mr. DINGELL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The conference report was agreed to.

A motion to reconsider was laid on the table.

DISPOSAL OF TEMPORARY HOUSING

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5710) to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 6, after line 5, insert:

"Sec. 5. The Defense Homes Corporation is authorized to convey, without reimbursement therefor, to Howard University, a corporation organized pursuant to an act of Congress, all of its right, title, and interest in certain lands in the District of Columbia, together with the improvements constructed thereon and the personal property used in connection therewith, and commonly known as Lucy Diggs Slowe Hall, 1919 Third Street NW., and George Washington Carver Hall, 211 Elm Street NW.: *Provided*, That no employee of the United States or of the District of Columbia who, on the date of approval of this act, is a tenant of either Lucy Diggs Slowe Hall or George Washington Carver Hall shall, unless quarters were assigned to such tenant on a transient basis or on the sole basis that the tenant was enrolled at an educational institution be evicted from such halls within 4 years after the approval of this act, except where such tenant commits a nuisance or otherwise violates any obligation of tenancy.

"The Reconstruction Finance Corporation is hereby authorized and directed to discharge the indebtedness of the Defense Homes Corporation to the Reconstruction Finance Corporation in an amount equal to the Defense Homes Corporation's net investment in these properties as of the date of transfer, as determined by the President of the Defense Homes Corporation, and the Secretary of the Treasury is authorized and directed to discharge the indebtedness of the Reconstruction Finance Corporation to the Treasury in like amount as of the same date.

"Sec. 6. The right, title, and interest in any lands, together with the improvements constructed thereon, which are conveyed pursuant to the authority granted by section 5 hereof, shall revert to the United States upon a written finding made by the President prior to July 1, 1963, that the property is needed

by the United States in connection with a national defense emergency."

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MRS. PEARL LOUKES

Mr. ANDREWS of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Brooks] may be excused as a conferee on the bill, S. 2551.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER. The Chair appoints the gentleman from North Carolina [Mr. DURHAM] to fill the vacancy.

The Clerk will notify the Senate of the action of the House.

PROVIDING FOR WATER POLLUTION CONTROL ACTIVITIES

Mr. DONDERO. Mr. Speaker, I call up the conference report on the bill (S. 418) to provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of Thursday, June 17, 1948.)

The conference report was agreed to.

A motion to reconsider was laid on the table.

UNITED STATES CODE, TITLE 18

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3190) to revise, codify, and enact into positive law, title 18 of the United States Code, entitled "Crimes and Criminal Procedure," with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, following:

"13. Laws of States adopted for areas within Federal jurisdiction."

Insert:

"14. Applicability to Canal Zone."

Page 5, line 4, after "States" insert, "except the Canal Zone."

Page 8, after line 15, insert:

"§ 14. Applicability to Canal Zone."

"In addition to the sections of this title which by their terms apply to and within the Canal Zone, the following sections of this title shall likewise apply to and within the Canal Zone: 6, 8, 11, 331, 371, 472, 474, 478, 479, 480, 481, 482, 483, 485, 488, 489, 490, 499, 502, 506, 594, 595, 593, 600, 601, 604, 605, 608, 611, 612, 703, 756, 791, 792, 793, 794, 795, 796, 797, 915, 917, 951, 953, 954, 956, 957, 958,

959, 960, 961, 962, 963, 964, 965, 966, 957, 1017, 1073, 1301, 1364, 1382, 1542, 1543, 1544, 1546, 1584, 1621, 1622, 1761, 1821, 1914, 2151, 2152, 2153, 2154, 2155, 2156, 2199, 2231, 2234, 2235, 2274, 2275, 2277, 2384, 2385, 2388, 2389, 2390, 2421, 2422, 2423, 2424, 3059, 3105, 3109."

Page 91, strike out

"610. Contributions by national banks or corporations."

And insert:

"610. Contributions or expenditures by national banks, corporations, or labor organizations."

Page 104, strike out lines 4 to 21, inclusive, and insert:

"§ 610. Contributions by national banks, corporations, or labor organizations

"It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organization to make a contribution or expenditure in connection with any election at which Presidential and Vice Presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section.

"Every corporation or labor organization which makes any contribution or expenditure in violation of this section shall be fined not more than \$5,000; and every officer or director of any corporation, or officer or any labor organization, who consents to any contribution or expenditure by the corporation or labor organization, as the case may be, in violation of this section shall be fined not more than \$1,000 or imprisoned not more than 1 year, or both.

"For the purposes of this section 'labor organization' means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exist for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work."

Page 117, line 8, strike out all after "receiver," down to and including "System," in line 15.

Page 118, line 18, strike out all after "care," down to and including "institution," in line 23.

Page 134, line 19, after "both" insert "or if he negligently suffers such person to escape, he shall be fined not more than \$500 or imprisoned not more than 1 year, or both."

Page 158, after line 12, insert "While any foreign government is a member both of the International Monetary Fund and of the International Bank for Reconstruction and Development, this section shall not apply to the sale or purchase of bonds, securities, or other obligations of such government or any political subdivision thereof or of any organization or association acting for or on behalf of such government or political subdivision, or to making of any loan to such government, political subdivision, organization, or association."

Page 367, strike out lines 15 to 18, inclusive, and insert "The district courts of the United States shall have original jurisdiction, exclusive of the courts of the States, of all offenses against the laws of the United States.

"Nothing in this title shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof."

Page 415, line 10, after "Zone," insert "District of Columbia."

Page 415, after line 17, insert:

"Nothing in this title, anything therein to the contrary notwithstanding, shall in any way limit, supersede, or repeal any such rules heretofore prescribed by the Supreme Court."

Page 416, after line 21, insert:

"Nothing in this title, anything therein to the contrary notwithstanding, shall in any way limit, supersede, or repeal any such rules heretofore prescribed by the Supreme Court."

Page 448, lines 24 and 25, strike out "the Revised Statutes (1 U. S. C., sec. 1)" and insert "Title 1 of the United States Code."

Page 456, strike out lines 3 to 21, inclusive.

Page 456, line 22, strike out "19" and insert "18."

Page 457, line 3, strike out "20" and insert "19."

Page 457, strike out lines 8 to 15, inclusive, and insert:

"Sec. 20. This act shall take effect September 1, 1948."

Page 457, line 16, strike out "22" and insert "21."

Page 463, about middle of page, strike out

[July 3..... 128] 4, 5| 40|755, 756| 16] 705, 706]

Page 467, below middle of page, strike out

[June 20..... 634] 4| 49| 1556| 16] 705
Do..... 635] 1, 2| 49| 1557| 22] 248]

and insert:

"June 20..... 635] 1, 2| 49| 1557| 22] 248"

Page 470, after

"June 8..... 178] 1, 2, 3| 59|234, 235| 18] 241, 241a, 242"

insert:

"July 31..... 339] 9| 59| 516| 31] 804b"

Page 471, at the end of the schedule of repeals on this page, insert:

"1947—
Apr. 16. 39] 61] 52] 18] 411
May 16. 73] 61] 97] 18] 744b-1
June 21. 111] 61] 134] 18] 244
June 23. 120] 304] 61] 159] 2] 261"

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

NATIONAL FREEDOM DAY

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (S. J. Res. 37) requesting the President to proclaim February 1 as National Freedom Day, and ask for its immediate consideration. I have consulted with the leaders on both sides.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read, as follows:

Resolved, etc., That the President of the United States is authorized to issue a proclamation designating the 1st day of February of each year as National Freedom Day for the purpose of commemorating the signing by President Abraham Lincoln, on February 1, 1865, of the joint resolution adopted by the Senate and the House of Representatives of the United States, proposing the thirteenth amendment to the Constitution of the United States of America.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. McGARVEY (at the request of Mr. REED of Illinois) was given permission to extend his remarks at this point in the RECORD.

Mr. McGARVEY. Mr. Speaker, the bill which has been reached on the Consent Calendar today will authorize and request the President to proclaim February 1 as National Freedom Day and invite the people of the United States to observe the day with appropriate ceremonies and thanksgiving. As you all know, on February 1, 1865, President Abraham Lincoln signed the joint resolution, which had previously been adopted by the Congress, proposing the thirteenth amendment to the Constitution.

I should like to repeat for you at this time the immortal words of that amendment: "Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction." These words are the foundation of our form of government with its emphasis on the freedom of the individual and the human liberties which belong to every citizen of the United States. It is therefore with pride in our free Nation that I introduced this resolution at the first session of the Eightieth Congress. Since that time I have been striving to obtain approval of the legislation.

I wish to thank the members of the Judiciary Committee and, in particular, the members of the subcommittee which handled the resolution, headed by the gentleman from Illinois [Mr. REED], for the interest and cooperation they have displayed in reporting the legislation, also the gentleman from Pennsylvania [Mr. CHADWICK].

I should like to pause here to pay tribute to the founder of National Freedom Day, Maj. R. R. Wright. It is regrettable that Major Wright is not with us today to realize the fulfillment of his long years of hard work and inspiring efforts. Born in slavery, Major Wright rose to prominence as a great American and occupied an unequalled position in the hearts of his fellow Americans. The story of Major Wright is truly the story of America, for in no other country today is it possible for a citizen to achieve such outstanding success. His success, however, would not have occurred had the thirteenth amendment to the Constitution not been approved. Since its signing is one of the cornerstones in the foundation of our American traditions, I am proud that we have today passed the resolution commemorating its inception.

PROCUREMENT AND SUPPLY OF GOVERNMENT HEADSTONES

Mr. WELCH. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4272) to provide for the procurement and supply of Government headstones or markers for unmarked graves of members of the armed forces dying in the service or after honorable discharge therefrom, and other persons, and for other purposes, with

18. HOUSING. Passed, 318-90, as reported H. R. 6959, the housing bill, without the rural-housing title (pp. 9022-47).
19. SELECTIVE SERVICE. Passed, 283-130, with amendments S. 2655, the selective-service bill (pp. 8986-8). Conferees were appointed (p. 8988).
20. ARMY MILITARY APPROPRIATION BILL. House conferees were appointed on this bill, H. R. 6771 (p. 8986).
21. DISPLACED PERSONS. Agreed to the conference report on S. 2242, to permit entry of 200,000 displaced persons into the U. S., of whom at least 30% must be farm workers (pp. 9004-13).
22. INTERIOR APPROPRIATION BILL. Agreed to the conference report on this bill, H. R. 6705 (pp. 8998-9).
23. FOOD AND DRUG ADMINISTRATION. Agreed to the conference report on H. R. 4071, to increase the powers of this agency regarding seizures of foods, etc. (pp. 8996-7). This bill will now be sent to the President.
24. FOREIGN RELIEF. Passed as reported S. 2376, to provide a revolving fund for purchase of agricultural commodities and raw materials to be processed in occupied areas and sold (pp. 9078-81).
25. WATER POLLUTION. Agreed to the conference report on S. 418, to provide for water-pollution control through the Public Health Service (p. 9013).
26. RECLAMATION. Concurred in the Senate amendment to H. R. 3218, authorizing an emergency fund for the Bureau of Reclamation to assure continuous operation of its projects (p. 9015). This bill will now be sent to the President.
27. POSTAL RATES. Passed as reported H. R. 6916, to provide for permanent postal rates and additional compensation for certain P. O. employees (pp. 9052-66).
28. SUPPLEMENTAL INDEPENDENT OFFICES APPROPRIATION BILL. House conferees were appointed on this bill, H. R. 6829 (p. 9073).
29. AGRICULTURE INVESTIGATIONS. Agreed, without amendment, to H. Res. 676, providing \$5,000 for the Agriculture Committee (p. 9086).
30. COMMODITY-EXCHANGE INVESTIGATION. Agreed, without amendment, to H. Res. 674, providing \$10,000 for the Andresen Committee (p. 9086).
31. VIRGIN ISLANDS. Passed, 132-9, as reported H. R. 5904, to incorporate the Virgin Islands Corporation (pp. 9087-91).
32. RECLAMATION. Agreed to the conference report on H. R. 5416, to promote the interest of the Fort Hall Indian irrigation project, Idaho (p. 9103).
33. COMMODITY SPECULATION. Rep. Rankin, Miss., discussed the charges against Linder, MacDonald, and Harris (p. 9105).
34. FOREST LANDS. The Public Lands Committee reported without amendment S. 560, to transfer certain O&C lands from the Forest Service to the Interior Department (H. Rept. 2413)(p. 9107).
35. PERSONNEL, ECONOMY. The Post Office and Civil Service Committee submitted a

report on the relation of new functions of the departments and agencies to increased civilian employment in the executive branch (H. Rept. 2412)(p.9107).

36. DISASTER RELIEF. Passed S. 2877, providing \$10,000,000 additional authority for disaster loans by RFC (p. 9092). The Senate version would have provided \$20,000,000 additional.

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37. SELECTIVE SERVICE. Both Houses agreed to the conference report on S. 2655, the selective-service bill; the House vote was 259-136 (pp. 9137-71, 9357-81). This bill will now be sent to the President.
38. INTERIOR APPROPRIATION BILL. Agreed to the conference report on this bill, H. R. 6705 (pp. 9171-3). This bill will now be sent to the President.
39. CCC CHARTER. Conferees on this bill, S. 1322, were appointed in both Houses (pp. 9173-5, 9376-7).
40. WATER POLLUTION. Agreed to the conference report on S. 418, to provide for water-pollution control through the Public Health Service (p. 9175). This bill will now be sent to the President.
41. DISPLACED PERSONS. Agreed to the conference report on S. 2242, to permit entry of displaced persons into the U. S. (pp. 9176-88, 9190-6). This bill will now be sent to the President.
42. GOVERNMENT CORPORATIONS APPROPRIATION BILL. Both Houses agreed to the conference report on this bill, H. R. 6481, and acted on disagreement amendments (pp. 9177, 9188-90, 9263, 9339-53). This bill will now be sent to the President. As finally passed, the bill includes changes as follows: Authorizes payment by the Federal intermediate credit banks to FCA of not over \$330,000 (House, \$373,600; Senate, \$223,600). Authorizes not over \$1,500,000 for administrative expenses of the production credit corporations (Senate figure; House, \$1,350,000). Provides that the production credit corporations shall return Government capital of at least \$30,000,000 (House, \$60,000,000; Senate, \$20,000,000), and that such capital be carried to the surplus fund of the Treasury instead of being returned to the corporations revolving fund, as proposed by the Senate. Authorizes not over \$146,800 for RACC administrative expenses (Senate figure; House, \$46,800). Authorizes payment by RACC to FCA of not over \$21,000 (Senate figure; House, \$12,500). Does not include the Senate provision for a \$12,000 salary for the FCA Governor. Retains the fur-farmer loan provision in modified form. Strikes out TVA steam-plant provision.
43. VIRGIN ISLANDS. Conferees were appointed, in both Houses, on H. R. 5904, to incorporate the Virgin Islands Corporation (pp. 9182, 9378).
44. SECOND DEFICIENCY APPROPRIATION BILL. Passed with amendments this bill, H. R. 6935 (pp. 9217-26). Conferees were appointed in both Houses (pp. 9226, 9353). In addition to the committee amendments, agreed to an amendment by Sen. Murray, Mont. (for himself and Sens. Hill and Ball), to provide \$450,000 additional for administrative expenses of REA (pp. 9222-3).
45. INDEPENDENT OFFICES SUPPLEMENTAL APPROPRIATION BILL. Both Houses agreed to the conference report on this bill, H. R. 6829 (pp. 9264, 9353-5). This bill will now be sent to the President. The conferees eliminated the Senate amendment

SEC. 16. Transfer of assets of Commodity Credit Corporation, a Delaware corporation: The assets, funds, property, and records of Commodity Credit Corporation, a Delaware corporation, are hereby transferred to the Corporation. The rights, privileges, and powers, and the duties and liabilities of Commodity Credit Corporation, a Delaware corporation, in respect to any contract, agreement, loan, account, or other obligation shall become the rights, privileges, and powers, and the duties and liabilities, respectively, of the Corporation. The enforceable claims of or against Commodity Credit Corporation, a Delaware corporation, shall become the claims of or against, and may be enforced by or against, the Corporation: *Provided*, That nothing in this act shall limit or extend any period of limitation otherwise applicable to such claims against the Corporation.

SEC. 17. Dissolution of Delaware Corporation: The Secretary of Agriculture, representing the United States as the sole owner of the capital stock of Commodity Credit Corporation, a Delaware corporation, is hereby authorized and directed to institute or cause to be instituted such proceedings as are required for the dissolution of said Corporation under the laws of the State of Delaware. The costs of such dissolution of said Corporation shall be borne by the Corporation.

SEC. 18. Effective date: This title shall take effect as of midnight June 30, 1948.

TITLE II—AMENDMENTS TO EXISTING LAW

SEC. 201. Section 8 (a) of the Stabilization Act of 1942, as amended (U. S. C., 1940, ed., Supp. V, title 50, sec. 968), is amended by striking out "before the expiration of the 2-year period beginning with the 1st day of January immediately following the date upon which the President by proclamation or the Congress by concurrent resolution declares that hostilities in the present war have terminated" and by inserting in lieu thereof "on or before December 31, 1950."

SEC. 202. Section 4 (a) of the act entitled "An act to extend the life and increase the credit resources of the Commodity Credit Corporation, and for other purposes," approved July 1, 1941 (U. S. C., 1940 ed., Supp. V, title 15, sec. 713a-8 (a)), is amended by striking out "the expiration of the 2-year period beginning with the 1st day of January immediately following the date upon which the President by proclamation or the Congress by concurrent resolution declares that hostilities in the present war have terminated" and by inserting in lieu thereof "December 31, 1950."

Mr. AIKEN. Mr. President, I move that the Senate disagree to the amendment of the House, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. AIKEN, Mr. YOUNG, Mr. THYE, Mr. THOMAS of Oklahoma, and Mr. ELLENDER conferees on the part of the Senate.

POLLUTION CONTROL ACTIVITIES IN THE PUBLIC HEALTH SERVICE

Mr. MALONE. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of the conference report on Senate bill 418, a bill to provide for water-pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nevada?

There being no objection, the Senate proceeded to consider the report, which was read by the Chief Clerk, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 418) to provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with amendments, as follows: Page 2, line 12, of the amendment of the House, strike out the words "hereinafter declared to be a public nuisance"; page 2, lines 13 and 14, of the amendment of the House, strike out the words "such interstate waters and tributaries thereof" and insert the following words "surface and underground waters"; page 9, line 11, of the amendment of the House, strike out the figure "\$200,000" and insert the figure "\$250,000"; page 11, line 25, of the amendment of the House, strike out the figure "\$20,000,000" and insert the figure "\$22,500,000"; page 12, line 25, of the amendment of the House, after the words "study of" insert the word "water", and strike out the word "of" after the word "pollution"; page 13, line 1, of the amendment of the House, strike out the words "interstate waters"; page 13, line 2, of the amendment of the House, before the word "pollution" insert the word "water", and after the word "pollution" strike out the words "of interstate waters"; page 14, line 17 through line 23, of the amendment of the House, strike out all after the words "SEC. 9 (a)" and insert the following: "Five officers may be appointed to grades in the Regular Corps of the Public Health Service above that of senior assistant, but not to a grade above that of director, to assist in carrying out the purposes of this act. Officers appointed pursuant to this subsection in any fiscal year shall not be counted as part of the 10 per centum of the original appointments authorized to be made in such year under section 207 (b) of the Public Health Service Act; but they shall for all other purposes be treated as though appointed pursuant to such section 207 (b)."

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

LABOR DISPUTE AT OAK RIDGE NATIONAL LABORATORY—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 726)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying papers, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

Pursuant to the Labor-Management Relations Act, 1937, it is my duty to report to the Congress concerning the labor dispute which recently existed at the Oak Ridge National Laboratory.

The important facts concerning the dispute may be summarized as follows:

The Oak Ridge National Laboratory is Government-owned. Some 2,350 persons are there engaged in important atomic-energy research, but not directly in production of fissionable materials or weapons.

The dispute was between the Carbide & Carbon Chemicals Corp., and the

Atomic Trades and Labor Council, affiliated with the American Federation of Labor. The corporation operates the Laboratory under a cost-plus-fixed-fee contract with the Atomic Energy Commission. The corporation also operates two other important plants of the atomic-energy installation at Oak Ridge. The council represents some 900 employees who perform maintenance, operating, and service functions at the Laboratory.

The recent dispute resulted from the failure of negotiations concerning both wages and working conditions. These negotiations were begun with the predecessor contractor in the latter part of November 1947 and continued with Carbide & Carbon Chemicals Corp. beginning February 9, 1948.

It is clear that there was a difference in objectives sought by the council and the corporation. On the one hand, the council desired to preserve differentials over the two nearby atomic-energy plants as to wage rates and conditions of employment—differentials which have been in existence in the Laboratory since its beginning. On the other hand, the corporation desired uniformity of wage rates and conditions of employment and the elimination of the Laboratory differentials.

In a union meeting held Sunday, February 29, the employees voted to strike unless settlement were made by Friday, midnight, March 5, and this intention was reaffirmed by another meeting on the night of March 3. Accordingly, on March 5, I issued Executive Order 9934, creating a board of inquiry pursuant to the Labor-Management Relations Act. At my request, both parties agreed to maintain the status quo until March 19.

On March 15 the board of inquiry submitted to me its first report. It found the existence of a labor dispute at the Oak Ridge National Laboratory, and it advised me of the facts of that dispute. It further found that grave danger to the national safety would result if the operations of the Laboratory were interrupted.

Thereupon, at my request, the Attorney General on March 19 instituted an action and obtained an injunction in the United States District Court for the Eastern District of Tennessee. This order enjoined both the corporation and the council, and all persons in active participation with them, from engaging in any strike or lock-out or from interfering with normal continuance of work, or from making any change in terms or conditions of employment other than by mutual agreement.

On March 24, I reconvened the Board of Inquiry. Negotiations between the parties continued, with the assistance of the Federal Mediation and Conciliation Service. On May 18 the Board of Inquiry submitted to me its second report, stating that the position of the parties remained unaltered and the dispute unsettled.

On June 1 and 2 the National Labor Relations Board conducted a secret ballot of the employees to ascertain whether they wished to accept the final offer of settlement as stated and made by the

employer. The employees, by a vote of 771 to 26, rejected the employer's last offer. On June 7 the National Labor Relations Board certified to the Attorney General the results of this election. On June 8 the employees at a union meeting took action looking to a possible stoppage if the injunction were lifted and if the employer unilaterally placed in effect the terms proposed in its final offer.

On June 10, pursuant to section 210 of the Labor-Management Relations Act, the Attorney General moved the court to discharge the injunction. The injunction was discharged on June 11.

During this period the parties continued negotiations, with the assistance of the Federal Mediation and Conciliation Service. On June 15 the parties reached agreement on the terms of a new contract.

All parties to this dispute and the Government agencies concerned complied with all legal and procedural requirements of title II of the Labor-Management Relations Act, 1947.

A number of additional facts concerning this dispute are set forth in the first and second reports of the Board of Inquiry. Copies of these reports are transmitted to the Congress with this message.

Both parties are to be commended for achieving settlement of this dispute without an interruption of work.

The dispute at Oak Ridge has raised some question, nevertheless, as to the sufficiency of present collective-bargaining methods in atomic-energy installations.

This question is somewhat different from others which have arisen in the past. On the one hand, it is clear that the national security and the development of the beneficial arts and sciences are bound up with the progress of our atomic-energy program. Thus, every dispute which threatens to seriously impair that program imperils the national health and safety.

On the other hand, it is equally clear that the progress of our atomic-energy program requires the support and drive of broad sectors of the American economy. In order to encourage such support, the Atomic Energy Commission has lodged in its contractors a large measure of responsibility and authority. The progress of the program is equally dependent upon the full and willing support of the men and women who work in atomic-energy plants and laboratories.

Under these circumstances, it is imperative that the most successful techniques of the collective-bargaining process should be adopted for the atomic-energy program.

The objective should be twofold. The parties should continue to enjoy the maximum of voluntary action and freedom of choice. Secondly, the public interest must be protected at all times.

I believe that special study should be given to the problem of peaceful and orderly settlement of labor disputes in Government-owned, privately operated atomic-energy installations, such as those at Richland, Wash.; Oak Ridge, Tenn.; Los Alamos, N. Mex.; the Argonne

National Laboratory, Chicago, Ill., and others.

I propose, therefore, to establish a commission composed of men having expert knowledge in the field of labor relations to study this problem and to make such recommendations as they may find necessary. The commission should explore the question whether any special legislation should be enacted to protect the national interest without depriving management or labor organizations of the initiative and freedom necessary for the progress of our atomic-energy program. The commission should study ways and means of adapting to the atomic-energy program the best of our experience in the complex field of labor relations. The commission should concern itself also with special aspects of the problem, such as questions of bargaining representation, uniformity of working conditions and wages, and procedures for grievance handling.

The commission should concern itself, in short, with the broad code of conduct which should be observed by management and labor in their relations with each other in this vital program.

In appointing this commission I shall request the advice of the Atomic Energy Commission and the Joint Committee on Atomic Energy, both as to the membership of the commission and the specific questions to be studied.

I believe that the report of this commission, which should be submitted as soon as possible, will be of great value in guiding contractors, labor organizations, and the Government in this new and vital field. I am confident that this is the best avenue to follow to achieve and maintain that proper balance between freedom and responsibility which is the tradition in all our economic relations, including those between management and labor.

HARRY S. TRUMAN.

THE WHITE HOUSE, June 18, 1948.

ADMISSION OF DISPLACED PERSONS

Mr. REVERCOMB. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to consider the conference report on Senate bill 2242, a bill to authorize for a limited period of time the admission into the United States of certain European displaced persons for permanent residence, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate proceeded to consider the report, which was read by the Chief Clerk.

(See conference report printed in House proceedings, pp. 9004, 9005, 9006, CONGRESSIONAL RECORD, June 18, 1948.)

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. PEPPER. Mr. President, I wish to be heard on this question before it is disposed of.

The PRESIDENT pro tempore. The Senator from Florida seeks recognition. Does the Senator from West Virginia wish to speak on the report?

Mr. PEPPER. Mr. President, I do not wish to interrupt the explanation. I merely wish to be heard before the question is disposed of.

Mr. REVERCOMB. Mr. President—

The PRESIDENT pro tempore. The Senator from West Virginia is recognized.

Mr. REVERCOMB. Mr. President, in presenting this conference report on the displaced-persons bill, I desire to make a very brief statement respecting the displaced-persons bill as passed by the Senate, the bill as passed by the House, and the bill which has now been reported after an extended conference.

The Senate will recall the extended debate which took place when the bill was pending before the Senate. It is my position at the present time that the bill was debated on the floor of the Senate very fully and completely, and it is my belief that legislation dealing with the problem of displaced persons must be in accordance with two fundamental principles.

First, such legislation should be consistent with the best interests of the country; and, second, in view of the tremendous scope of the problem, the legislation dealing with it must, so far as practicable, be confined to displaced persons in Europe who were displaced as a direct result of the war, and who cannot be repatriated.

With respect to the differences between the bill as it passed the Senate and the conference report, the bill as it passed the Senate provided, after amendments were made on the floor of the Senate, for the admission of 200,000 persons within the course of 2 years. The bill, as reported by the conferees, permits the entry in 2 years of 205,000 persons, the difference being that the 3,000 displaced orphans to be admitted under the Senate bill had been included within the 200,000 limit. The conference bill lets the number of orphans come in over and above the 200,000 limit.

In addition, the conferees agreed to, and the bill as it comes from conference provides for, the entry of 2,000 persons who fled from Czechoslovakia prior to April 1, 1948. With the additions of these 2,000, as I say, the total number will be 205,000.

The bill also provides an adjustment of status, as it is called, for 15,000 displaced persons who are here on a temporary basis, that is, those who come in under temporary visas issued by the representatives of this Government.

Mr. President, it cannot be said that the category of 15,000 is a definite number fixed to come into the country, or to stay here. The bill simply provides that 15,000 may have their status adjusted by the Attorney General of the United States, as may be done in the case of any immigrant into the country on a temporary visa or temporary stay. If the Attorney General extends the time beyond 6 months, he must report it to the Congress; and if the Congress, after reviewing the case, finds that the Attorney General's viewpoint is sustained, then the person is deportable. That applies in the case of any temporary entrance. On the other hand, if the Congress approves within the session with-

[PUBLIC LAW 845—80TH CONGRESS]

[CHAPTER 758—2D SESSION]

[S. 418]

AN ACT

To provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in connection with the exercise of jurisdiction over the waterways of the Nation and in consequence of the benefits resulting to the public health and welfare by the abatement of stream pollution, it is hereby declared to be the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of the States in controlling water pollution, to support and aid technical research to devise and perfect methods of treatment of industrial wastes which are not susceptible to known effective methods of treatment, and to provide Federal technical services to State and interstate agencies and to industries, and financial aid to State and interstate agencies and to municipalities, in the formulation and execution of their stream pollution abatement programs. To this end, the Surgeon General of the Public Health Service (under the supervision and direction of the Federal Security Administrator) and the Federal Works Administrator shall have the responsibilities and authority relating to water pollution control vested in them respectively by this Act.

SEC. 2. (a) The Surgeon General shall, after careful investigation, and in cooperation with other Federal agencies, with State water pollution agencies and interstate agencies, and with the municipalities and industries involved, prepare or adopt comprehensive programs for eliminating or reducing the pollution of interstate waters and tributaries thereof and improving the sanitary condition of surface and underground waters. In the development of such comprehensive programs due regard shall be given to the improvements which are necessary to conserve such waters for public water supplies, propagation of fish and aquatic life, recreational purposes, and agricultural, industrial, and other legitimate uses. For the purpose of this subsection the Surgeon General is authorized to make joint investigations with any such agencies of the condition of any waters in any State or States, and of the discharges of any sewage, industrial wastes, or substance which may deleteriously affect such waters.

(b) The Surgeon General shall encourage cooperative activities by the States for the prevention and abatement of water pollution; encourage the enactment of uniform State laws relating to water pollution; encourage compacts between States for the prevention and abatement of water pollution; collect and disseminate information relating to water pollution and the prevention and abatement thereof; support and aid technical research to devise and perfect methods of treatment of industrial wastes which are not susceptible to known effective methods of treatment; make available to State and interstate agencies, municipalities, industries, and individuals the results of sur-

veys, studies, investigations, research, and experiments relating to water pollution and the prevention and abatement thereof conducted by the Surgeon General and by authorized cooperating agencies; and furnish such assistance to State agencies as may be authorized by law.

(c) The consent of the Congress is hereby given to two or more States to negotiate and enter into agreements or compacts, not in conflict with any law or treaty of the United States, for (1) cooperative effort and mutual assistance for the prevention and abatement of water pollution and the enforcement of their respective laws relating thereto, and (2) the establishment of such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts. No such agreement or compact shall be binding or obligatory upon any State a party thereto unless and until it has been approved by the Congress.

(d) (1) The pollution of interstate waters in or adjacent to any State or States (whether the matter causing or contributing to such pollution is discharged directly into such waters or reaches such waters after discharge into a tributary of such waters), which endangers the health or welfare of persons in a State other than that in which the discharge originates, is hereby declared to be a public nuisance and subject to abatement as herein provided.

(2) Whenever the Surgeon General, on the basis of reports, surveys, and studies, finds that any pollution declared to be a public nuisance by paragraph (1) of this subsection is occurring, he shall give formal notification thereof to the person or persons discharging any matter causing or contributing to such pollution and shall advise the water pollution agency or interstate agency of the State or States where such discharge or discharges originate of such notification. This notification may outline recommended remedial measures which are reasonable and equitable in that case and shall specify a reasonable time to secure abatement of the pollution. If action calculated to secure abatement of the pollution within the time specified is not commenced, this failure shall again be brought to the attention of the person or persons discharging the matter and of the water pollution agency or interstate agency of the State or States where such discharge or discharges originate. The notification to such agency may be accompanied by a recommendation that it initiate a suit to abate the pollution in a court of proper jurisdiction.

(3) If, within a reasonable time after the second notification by the Surgeon General, the person or persons discharging the matter fail to initiate action to abate the pollution or the State water pollution agency or interstate agency fails to initiate a suit to secure abatement, the Federal Security Administrator is authorized to call a public hearing, to be held in or near one or more of the places where the discharge or discharges causing or contributing to such pollution originate, before a board of five or more persons appointed by the Administrator, who may be officers or employees of the Federal Security Agency or of the water pollution agency or interstate agency of the State or States where such discharge or discharges originate (except that at least one of the members of the board shall be a representative of the water pollution agency of the State or States where such discharge or discharges originate and at least one shall be a representative of the Department of Commerce, and not less than a majority of the board

shall be persons other than officers or employees of the Federal Security Agency). On the basis of the evidence presented at such hearing the board shall make its recommendations to the Federal Security Administrator concerning the measures, if any, which it finds to be reasonable and equitable to secure abatement of such pollution.

(4) After affording the person or persons discharging the matter causing or contributing to the pollution reasonable opportunity to comply with the recommendations of the board, the Federal Security Administrator may, with the consent of the water pollution agency (or of any officer or agency authorized to give such consent) of the State or States in which the matter causing or contributing to the pollution is discharged, request the Attorney General to bring a suit on behalf of the United States to secure abatement of the pollution.

(5) Before or after any suit authorized by paragraph (4) is commenced, any person who is alleged to be discharging matter contributing to the pollution, abatement of which is sought, may, with the consent of the water pollution agency (or of any officer or agency authorized to give such consent) of the State in which such matter is discharged, be joined as a defendant. The court shall have power to enforce its judgment against any such defendant.

(6) In any suit brought pursuant to paragraph (4) in which two or more persons in different judicial districts are originally joined as defendants, the suit may be commenced in the judicial district in which any discharge caused by any of the defendants occurs.

(7) The court shall receive in evidence in any such suit a transcript of the proceedings before the board and a copy of the board's recommendation; and may receive such further evidence as the court in its discretion deems proper. The court, giving due consideration to the practicability and to the physical and economic feasibility of securing abatement of any pollution proved, shall have jurisdiction to enter such judgment, and orders enforcing such judgment, as the public interest and the equities of the case may require. The jurisdiction of the Surgeon General, or any other agency which has jurisdiction pursuant to the provisions of this Act, shall not extend to any region or areas nor shall it affect the rights or jurisdiction of any public body where there are in effect provisions for sewage disposal pursuant to agreement between the United States of America and any such public body by stipulation entered in the Supreme Court of the United States. While any such stipulation or modification thereof is in force and effect, no proceedings of any kind may be maintained by virtue of this Act against such public body or any public agency, corporation, or individual within its jurisdiction. Neither this provision nor any provision of this Act shall be construed to give to the Surgeon General or any other person or agency the right to intervene in the said proceedings wherein such stipulation was entered.

(8) As used in this subsection the term "person" includes an individual, corporation, partnership, association, a State, municipality, and a political subdivision of a State.

SEC. 3. The Surgeon General may, upon request of any State water-pollution agency or interstate agency, conduct investigations and research and make surveys concerning any specific problem of water pollution confronting any State, interstate agency, community, municipality, or industrial plant, with a view to recommending a solution of such problem.

SEC. 4. The Surgeon General shall prepare and publish, from time to time, reports of such surveys, studies, investigations, research, and experiments made under the authority of this Act as he may consider desirable, together with appropriate recommendations with regard to the control of water pollution.

SEC. 5. The Federal Works Administrator is authorized, subject to the provisions of section 9 (c), to make loans to any State, municipality, or interstate agency for the construction of necessary treatment works to prevent the discharge by such State or municipality of untreated or inadequately treated sewage or other waste into interstate waters or into a tributary of such waters, and for the preparation (either by its engineering staff or by practicing engineers employed for that purpose) of engineering reports, plans, and specifications in connection therewith. Such loans shall be subject, however, to the following limitations: (a) No loan shall be made for any project unless such project shall have been approved by the appropriate State water pollution agency or agencies and by the Surgeon General, and unless such project is included in a comprehensive program developed pursuant to this Act; (b) no loan shall be made for any project in an amount exceeding $33\frac{1}{3}$ per centum of the estimated reasonable cost thereof, as determined by the Federal Works Administrator, or in an amount exceeding \$250,000, whichever amount is the smaller; (c) every such loan shall bear interest at the rate of 2 per centum per annum, payable semiannually; and (d) the bonds or other obligations evidencing any such loan (1) must be duly authorized and issued pursuant to State and local law, and (2) may, as to the security thereof and the payment of principal thereof and interest thereon, be subordinated (to the extent deemed feasible and desirable by the Federal Works Administrator for facilitating the financing of such projects) to other bonds or obligations of the obligor issued to finance such project or that may then be outstanding.

SEC. 6. (a) The Surgeon General and the Federal Works Administrator, in carrying out their respective functions under this Act, shall provide for the review of all reports of examinations, research, investigations, plans, studies, and surveys, made pursuant to the provisions of this Act and all applications for loans under section 5. In determining the desirability of projects for treatment works and of approving loans in connection therewith, consideration shall be given to the public benefits to be derived by the construction thereof, the propriety of Federal aid in such construction, the relation of the ultimate cost of constructing and maintaining the works to the public interest and to the public necessity for the works, and the adequacy of the provisions made or proposed by the applicant for the loan for assuring proper and efficient operation and maintenance of the works after completion of the construction thereof.

(b) There is hereby established in the Public Health Service a Water Pollution Control Advisory Board to be composed as follows: The Surgeon General or a sanitary engineer officer designated by him, who shall be Chairman of the Board, a representative of the Department of the Army, a representative of the Department of the Interior, a representative of the Federal Works Agency, and a representative of the Department of Agriculture, designated by the Secretary of the

Army, the Secretary of the Interior, the Federal Works Administrator, and the Secretary of Agriculture, respectively; and six persons (not officers or employees of the Federal Government) to be appointed annually by the President. One of the persons appointed by the President shall be an engineer who is expert in sewage and industrial-waste disposal, one shall be a person who shall have shown an active interest in the field of wildlife conservation, and, except as the President may determine that the purposes of this Act will be better furthered by different representation, one shall be a person representative of municipal government, one shall be a person representative of State government, and one shall be a person representative of affected industry. The members of the Board who are not officers or employees of the United States shall be entitled to receive compensation at a per diem rate to be fixed by the Federal Security Administrator, together with an allowance for actual and necessary traveling and subsistence expenses while engaged on the business of the Board. It shall be the duty of the Board to review the policies and program of the Public Health Service as undertaken under authority of this Act and to make recommendations thereon in reports to the Surgeon General. Such clerical and technical assistance as may be necessary to discharge the duties of the Board shall be provided from the personnel of the Public Health Service.

SEC. 7. There is hereby authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, a sum not to exceed the sum of \$22,500,000 for the purpose of making loans under section 5 of this Act. Sums so appropriated shall remain available until expended.

SEC. 8. (a) There is hereby authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, the sum of \$1,000,000, to be allotted equitably and paid to the States for expenditure by or under the direction of their respective State water pollution agencies, and to interstate agencies for expenditure by them, for the conduct of investigations, research, surveys, and studies related to the prevention and control of water pollution caused by industrial wastes. Sums appropriated pursuant to this subsection shall remain available until expended, shall be allotted by the Surgeon General in accordance with regulations prescribed by the Federal Security Administrator, and shall be paid prior to audit or settlement by the General Accounting Office.

(b) There is hereby authorized to be appropriated to the Federal Works Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, a sum not to exceed \$800,000 to enable the Federal Works Administrator to erect and to furnish and to equip such buildings and facilities at Cincinnati, Ohio, as may be necessary for the use of the Public Health Service in connection with the research and study of water pollution and the training of personnel in work related to the control of water pollution. The amount authorized for this purpose shall include the cost of preparation of drawings and specifications, supervision of construction and other administrative expenses incident to the work: *Provided*, That the Federal Works Agency shall prepare the plans and specifications, make

all necessary contracts and supervise construction. Sums appropriated pursuant to this authorization shall remain available until expended.

(c) There is hereby authorized to be appropriated to the Federal Works Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, a sum not to exceed the sum of \$1,000,000 to enable the Federal Works Administrator to make grants to States, municipalities, or interstate agencies to aid in financing the cost of engineering, architectural, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other action preliminary to the construction of projects approved by the appropriate State water pollution agency or agencies and by the Surgeon General. Grants made under this subsection with respect to any project shall not exceed whichever of the following amounts is the smaller: (1) \$20,000, or (2) 33½ per centum of the estimated reasonable cost (as determined by the Federal Works Administrator) of the action preliminary to the construction of such project. Sums appropriated pursuant to this subsection shall remain available until expended.

(d) There is hereby authorized to be appropriated to the Federal Security Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, such sum (not to exceed the sum of \$2,000,000) as may be necessary to enable it to carry out its functions under this Act.

(e) There is hereby authorized to be appropriated to the Federal Works Agency for each of the five fiscal years during the period beginning July 1, 1948, and ending June 30, 1953, such sum (not to exceed the sum of \$500,000) as may be necessary to enable it to carry out its functions under this Act.

SEC. 9. (a) Five officers may be appointed to grades in the Regular Corps of the Public Health Service above that of senior assistant, but not to a grade above that of director, to assist in carrying out the purposes of this Act. Officers appointed pursuant to this subsection in any fiscal year shall not be counted as part of the 10 per centum of the original appointments authorized to be made in such year under section 207 (b) of the Public Health Service Act; but they shall for all other purposes be treated as though appointed pursuant to such section 207 (b).

(b) The Federal Security Administrator, with the consent of the head of any other agency of the Federal Government, may utilize such officers and employees of such agency as may be found necessary to assist in carrying out the purposes of this Act.

(c) (1) Upon written request of the Federal Works Administrator, from time to time submitted to the Federal Security Administrator, specifying (a) particular projects approved by the Surgeon General, (b) the total estimated costs of such projects, and (c) the total sum requested for loans which the Federal Works Administrator proposes to make for such projects, the Federal Security Administrator shall transfer such total sum (within the amount appropriated therefor) to the Federal Works Administrator for the making of loans for such projects pursuant to section 5 hereof. In making such loans, the Federal Works Administrator shall adhere to the order or sequence of priority for projects established by the Surgeon General and shall take such measures as, in his judgment, will assure that the engineering

plans and specifications, the details of construction, and the completed treatment works conform to the project as approved by the Surgeon General; and the Federal Works Administrator shall furnish written reports to the Federal Security Administrator on the progress of the work.

(2) The Federal Works Administrator is hereby authorized (a) to hold, administer, exchange, refund, or sell at public or private sale any bonds or other obligations evidencing loans made under this Act; and (b) to collect, or provide for the collection of, interest on and principal of such bonds or other obligations. All moneys received as proceeds from such sales, and all moneys so collected, shall be covered into the Treasury as miscellaneous receipts.

(d) The Surgeon General and the Federal Works Administrator are each authorized to prescribe such regulations as are necessary to carry out their respective functions under this Act.

SEC. 10. When used in this Act—

(a) The term "State water pollution agency" means the State health authority, except that, in the case of any State in which there is a single State agency, other than the State health authority, charged with responsibility for enforcing State laws relating to the abatement of water pollution, it means such other State agency;

(b) The term "interstate agency" means an agency of two or more States having powers or duties pertaining to the abatement of pollution of waters;

(c) The term "treatment works" means the various devices used in the treatment of sewage or industrial waste of a liquid nature, including the necessary intercepting sewers, outfall sewers, pumping, power, and other equipment, and their appurtenances, and includes any extensions, improvements, remodeling, additions, and alterations thereof;

(d) The term "State" means a State, the District of Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin Islands;

(e) The term "interstate waters" means all rivers, lakes, and other waters that flow across, or form a part of, State boundaries; and

(f) The term "municipality" means a city, town, district, or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

SEC. 11. This Act shall not be construed as (1) superseding or limiting the functions, under any other law, of the Surgeon General or of the Public Health Service, or of any other officer or agency of the United States, relating to water pollution, or (2) affecting or impairing the provisions of the Oil Pollution Act, 1924, or sections 13 through 17 of the Act entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors and for other purposes", approved March 3, 1899, as amended, or (3) affecting or impairing the provisions of any treaty of the United States.

SEC. 12. If any provision of this Act, or the application of any provision of this Act to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this Act, shall not be affected thereby.

SEC. 13. This Act may be cited as the "Water Pollution Control Act".

Approved June 30, 1948.

